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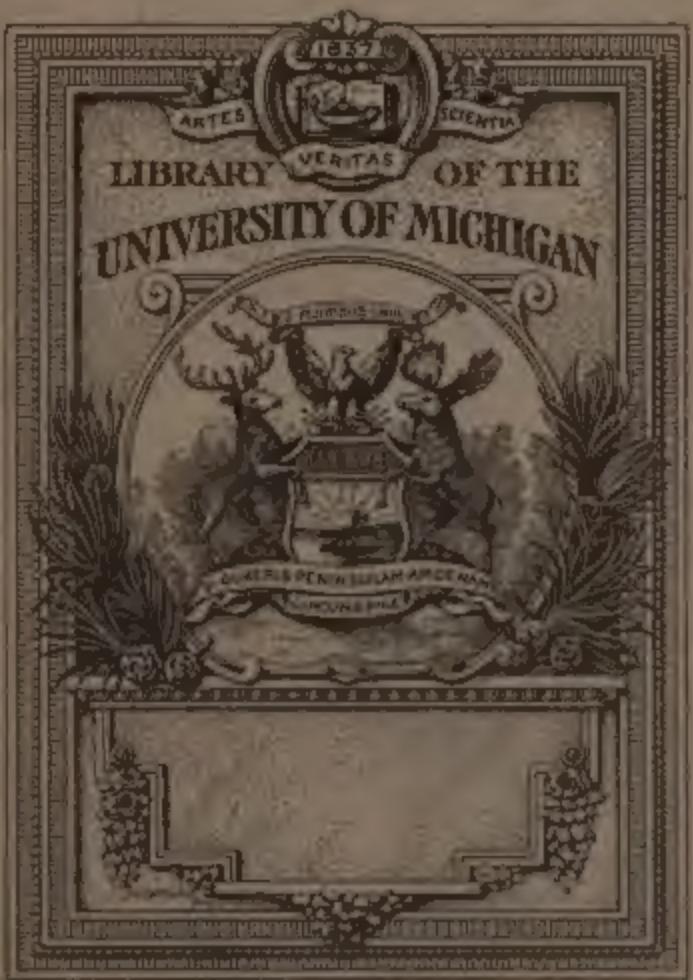
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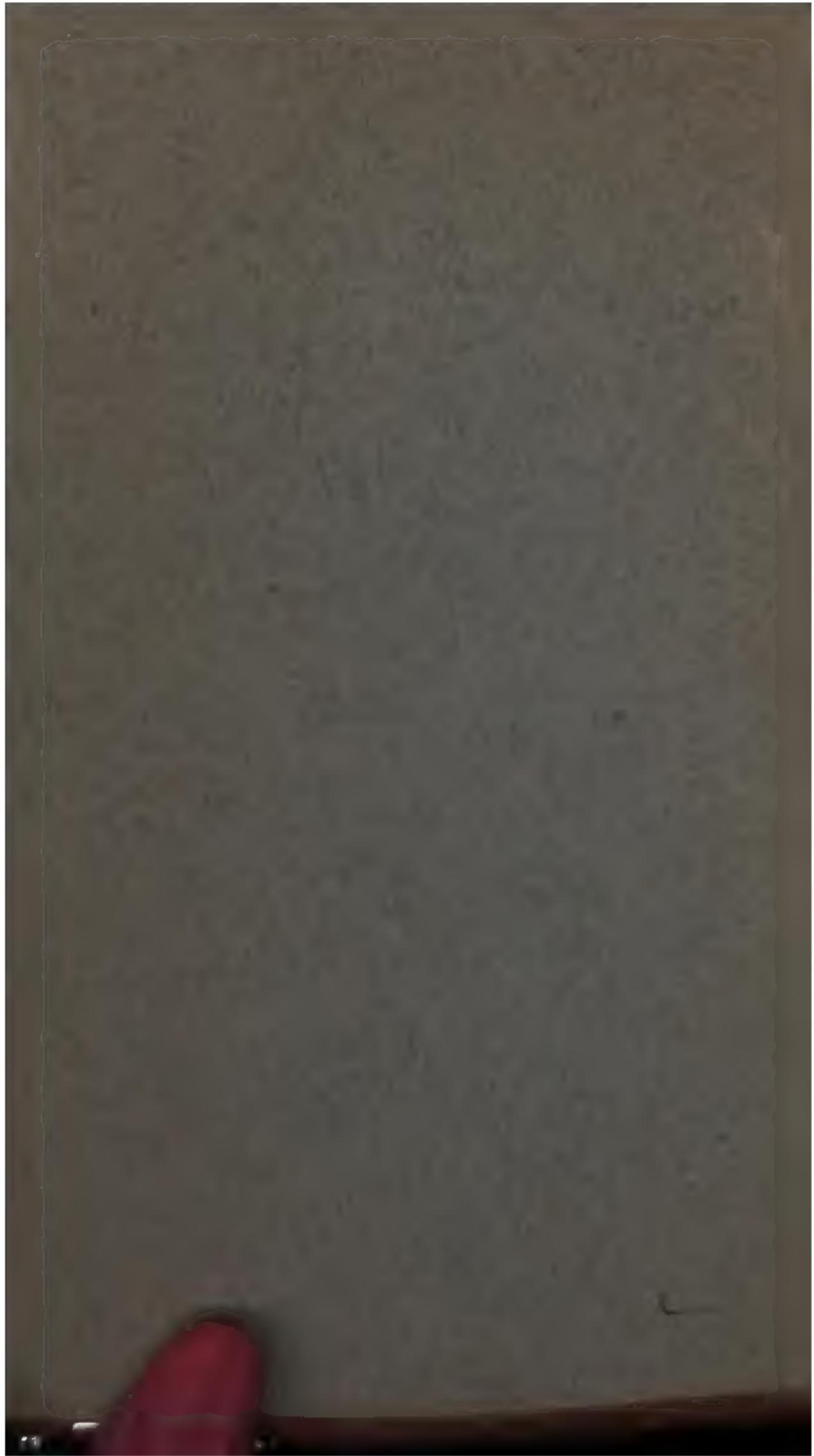
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GYM

THE  
PARLIAMENTARY  
OR  
CONSTITUTIONAL  
History of England;  
Being a  
FAITHFUL ACCOUNT  
Of all the  
Most remarkable TRANSACTIONS  
In PARLIAMENT,  
From the earliest TIMES,  
TO THE  
Restoration of King CHARLES II.

COLLECTED  
From the JOURNALS of both HOUSES, the RECORDS,  
original MANUSCRIPTS, scarce SPEECHES, and  
TRACTS; all compared with the several CONTEM-  
PORARY WRITERS, and connected, throughout, with  
the History of the Times.

By SEVERAL HANDS.

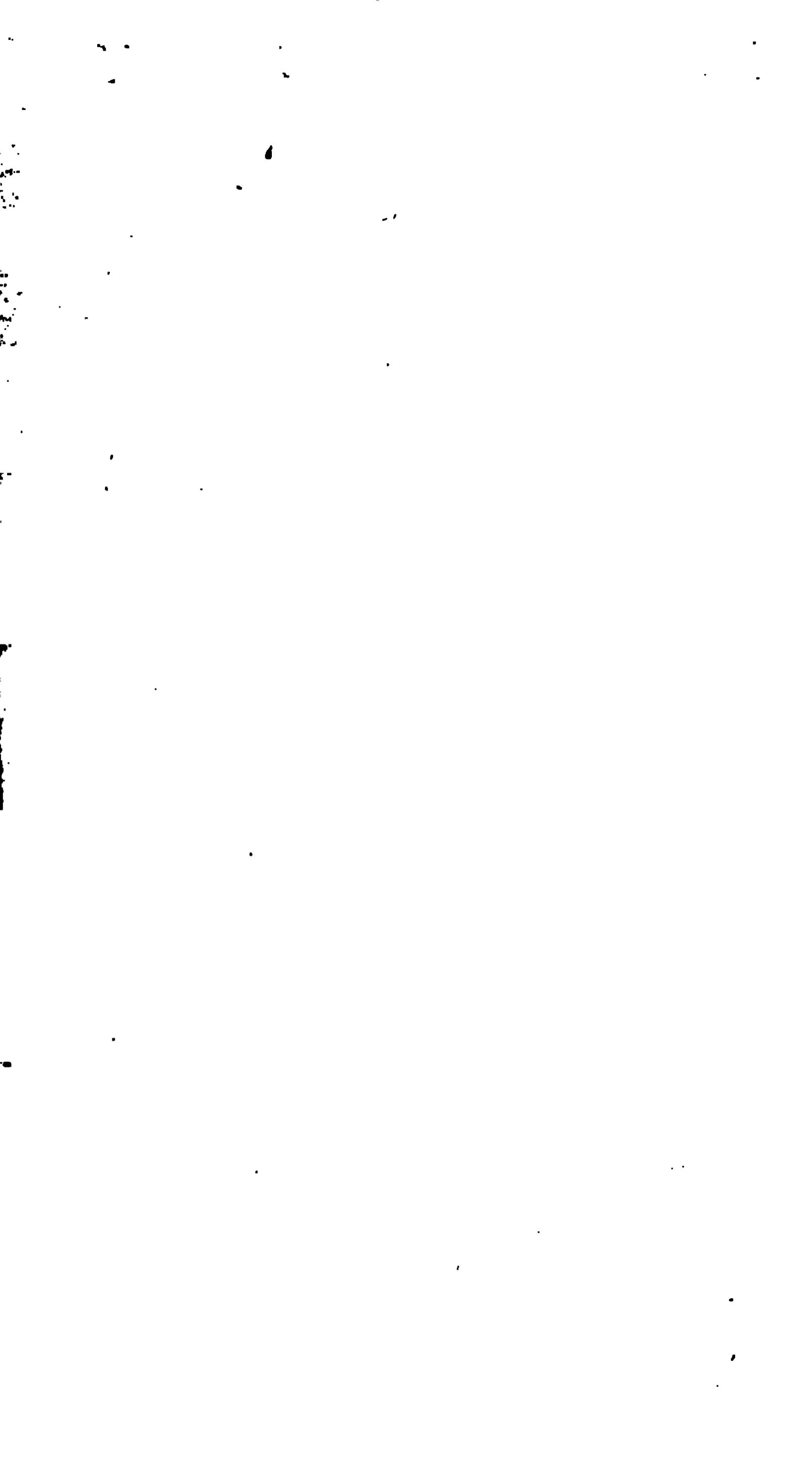
VOL. VI.

From the Twenty-first Year of King James I.  
to the Second of King Charles I.

L O N D O N,

Printed: and sold by Thomas Osborne, in Gray's Inn;  
A N D  
William Sandby, against St. Dunstan's Church, Fleet-street.

MDCCL.





T H E  
PARLIAMENTARY HISTORY  
O F  
E N G L A N D.



BEFORE we enter into the Proceedings of this Parliament, it may be necessary to take a View of the State of the Peerage at this Time; which the Reader will find much enlarged from the List at the Beginning of this Reign. But this was nothing to the Number of *Scotch* and *Irish* Lords the King made, from *English* private Gentlemen, who had Ambition enough to purchase those Titles, in order to get a Step higher than the new Degree of Baronets, created also in this Reign. This gave great Disgust to the *English* Peerage; and near Forty of that Order joined in a Petition to the King, to remonstrate the Inconvenience of such Proceedings. Which Petition had such Effect, That though it did not derogate from the Dignity of those already created, yet the King willingly restrained himself for the Time to come (*a*).

VOL. VI.

A

(*a*) *Wilson in Kenet*, P. 747.

## 2 The Parliamentary HISTORY

An. 21. James I.  
1623. A LIST of all the PEERS of England, called to Parliament, Anno 1623, 21 JAMES I. (b)

The State of the  
Peerage.

CH A R L E S,	John, E. of Shrewsbury.
Prince of Wales, &c.	Henry, E. of Derby.
Lodowic, Duke of Richmond, Lord High-Steward of the Household.	Francis, E. of Rutland.
Lionel, Earl of Middlesex, Lord High-Treasurer of England.	Francis, E. of Cumberland.
Thomas, Viscount Mandeville, President of the Council.	Henry, E. of Huntingdon.
Edward, E. of Worcester, Lord-Keeper of the Privy Seal.	Edward, E. of Bath.
George, D. of Buckingham, Lord High-Admiral of England.	Henry, E. of Southampton.
William, Marq. of Winchester.	Edward, E. of Bedford.
Thomas, Earl of Oxford, Lord Great-Chamberlain.	William, E. of Hertford.
Thomas, E. of Arundel and Surrey, Earl Marshal of England.	Thomas, E. of Suffolk.
James, E. of Cambridge, Steward of the Household.	Richard, E. of Dorset.
William, E. of Pembroke, Chamberlain of the Household.	William, E. of Salisbury.
Henry, E. of Northumberland.	William, E. of Exeter.
Charles, E. of Nottingham.	Philip, E. of Montgomery.
	John, E. of Bridgewater.
	Robert, E. of Leicester.
	William, E. of Northampton.
	Robert, E. of Warwick.
	William, E. of Devon.
	Esme, E. of March.
	John, E. of Holderness.
	Charles, E. of Carlisle.
	William, E. of Denbigh.
	John, E. of Bristol.
	Christopher, E. of Anglesey.
	Anthony, Viscount Montague.
	William, V. Wallingford.
	John, V. Purbeck.
	William,

(b) From the Lords Journals and Dugdale's Summons to Parliament.

## Of ENGLAND. 3

<i>William, V. Mansfield.</i>	<i>Theophilus, L. Howard, An. 21. James I.</i>
<i>Thomas, V. Colchester.</i>	<i>of Walden, Son to 1623.</i>
<i>V. Rochford.</i>	<i>the E. of Suffolk.</i>
<i>Thomas, V. Andover.</i>	<i>Edward, L. Wetton.</i>
<i>Richard, V. Tunbridge.</i>	<i>Francis, L. Russel, of</i>
<i>Henry Nevile, Lord A-</i>	<i>Thornhaugh.</i>
<i>bergavenny.</i>	<i>Henry, L. Grey, of</i>
<i>Mervin Touchet, L. Aud-</i>	<i>Groby.</i>
<i>ley.</i>	<i>William, L. Petre.</i>
<i>Edward, L. Zouch.</i>	<i>Henry, L. Danvers.</i>
<i>Robert Bertie, L. Wil-</i>	<i>Robert, L. Spenser.</i>
<i>loughby, of Eresby.</i>	<i>George, L. Carew.</i>
<i>Henry West, L. De La-</i>	<i>William Fienes, L. Say</i>
<i>Warr.</i>	<i>and Sele.</i>
<i>George, L. Berkeley.</i>	<i>Edward, L. Denny.</i>
<i>Henry Parker, L. Mor-</i>	<i>Charles, L. Stanhope, of</i>
<i>ley and Montegle.</i>	<i>Harrington.</i>
<i>Richard, L. Dacres and</i>	<i>Thomas, L. Arundel of</i>
<i>Herst.</i>	<i>Wardour.</i>
<i>Edward, L. Stafford.</i>	<i>John Holles, L. Hough-</i>
<i>Emanuel, L. Scroop.</i>	<i>ton.</i>
<i>Edward Sutton, L. Dud-</i>	<i>John Roper, L. Tenham.</i>
<i>ley.</i>	<i>Philip, L. Stanhope, of</i>
<i>Edward, L. Stourton.</i>	<i>Shelford.</i>
<i>Charles, L. Herbert, of</i>	<i>Edward, L. Noel.</i>
<i>Sburland.</i>	<i>Fulk Grevile, L. Brook.</i>
<i>John, L. Darcey and</i>	<i>Edward, L. Montague.</i>
<i>Meinill.</i>	<i>Robert, L. Carey, of</i>
<i>Edward, L. Vaux.</i>	<i>Lepington.</i>
<i>Thomas, L. Windsor.</i>	<i>Henry Rich, L. Ken-</i>
<i>Thomas, L. Wentworth.</i>	<i>sington</i>
<i>John, L. Mordaunt.</i>	<i>John, L. St. John, of</i>
<i>Oliver, L. St. John de</i>	<i>Basing.</i>
<i>Bletso.</i>	<i>William, L. Grey, of</i>
<i>Thomas, L. Cromwel.</i>	<i>Warke.</i>
<i>William, L. Evers.</i>	
<i>Philip, L. Wharton.</i>	<i>Lay-Peers 93</i>
<i>Edmund, L. Sheffield.</i>	<i>Abps. and Bps. 26</i>
<i>William, L. Paget.</i>	
<i>Dudley, L. North.</i>	<hr/> <i>In all 119</i>

A 2

The

## 4 The Parliamentary History

An. 21. James I.  
1623. The Parliament being assembled on the 12th Day of February, they were, by Commission, adjourned to the 16th, and from thence, by another Commission, to the 19th of the same Month. These short Adjournments, we are told, by the Writer of this Reign, were occasioned by the sudden Death of the Duke of Richmond, who was found dead in his Bed, by his Lady (c), in the Morning of the first Meeting of the Parliament. This Nobleman, being a near Relation of the King's and a great Favorite, he was so struck with the Accident, that he put off the Solemnity of going and appearing in Parliament, as abovesaid. However, on the 19th, being all met again and the Commons called up, the King was pleased to make the following Speech to them (d).

*My Lords Spiritual and Temporal, and you that are Gentlemen of the House of Commons of this present Parliament.*

The King's  
Speech at open-  
ing the Session.

IT is a true Saying uttered by the Spirit of God, That the Glory of a King stands in the Multitude of his People. And I am sure it is as true, That the Strength of a Kingdom, stands next and immediately after God's Protection, in the Hearts of the People. That you may see and have a Proof that I have not this only in my Tongue, but have it likewise settled in my Heart, (as God can bear me Record every Way) I have called you at this Time to speak my Mind freely to you ; for, remembering the Misunderstandings between me and you before, I am now come hither with an earnest Desire to do the Duty which God hath called me unto, by de-

(c) Wilson writes, That the Duchess confessed to some of her Intimates, afterwards, That she experienced the Effects of his cold Veins, the Night before. In Kennet, P. 777.

(d) This Speech is much curtailed and abridged in Wilson and Rushworth, for what Reason we know not; but it stands in this Manner in the Journals. The Doctrinal Part of it was agreeable to the Court and outward Party of the Times; for scarce a Member of Parliament made a Speech then, without beginning with a Text, or interlarding of it with many Quotations out of Holy Writ.

## Of E N G L A N D. 5

• declaring unto you the Verity of this which God An. 21. James I.  
• hath put into my Heart, and to manifest my 1623.  
• Actions to be true by my Words. I remember  
• very well, that it is a very fit Similitude for a  
• King and his People to be likened to a Husband  
• and Wife; for, even as Christ, in whose Throne  
• I sit in this Part of the Earth, is the Husband to  
• the Church and the Church his Spouse, so I  
• likewise desire to be your Husband, and you  
• should be my Spouse; and, therefore, as it is the  
• Husband's Part to cherish his Wife, to entreat  
• her kindly, to reconcile himself towards her, and  
• procure, by all Means, her Love, so it is my  
• Part to do the like to my People.

• There are but two Ways for a King to shew  
• his Love to his People; one, in the constant  
• good Government of them during his Life; the  
• other, by his Behaviour to their Representative  
• Body in Parliament. For the first, God know-  
• eth, I desire my Government may be performed,  
• with an honest, just, true and sincere Heart;  
• and there is none of you that see or hear me this  
• Day but have found the Fruit of it, one Time  
• or other. For the other Part, belonging to the  
• Representative Body, which is now the Cause of  
• calling you together, what greater Evidence can  
• there be to shew Love between you and me, and  
• between me and you, than the Representative  
• Body, in a right Understanding, than, out of my  
• own Mouth and Direction, to give you a Taste  
• of my Love and Care of you all.

• The Properties and Causes of calling a Parlia-  
• ment, (and so go the Writs) are to confer with  
• the King, and give him their Advice in Matters  
• of greatest Weight and Importance. For this  
• Cause I have now called you together, that ye  
• may have Proof of my Love and of my Trust,  
• and give me your Advice, in the greatest Matter  
• that ever could concern a King; a greater De-  
• clarations of my Trust in you I cannot give.

• I have been these many Years upon Treaties,  
• as far as I thought (and God is my Witness I ne-

## 6 The Parliamentary HISTORY

An. a. r. James I. 1623. ' ver had any other Intention) for settling a Peace

' in Christendom and settling a Peace at Home.  
' In these Treaties I went long on, but finding  
' them to have flower Success than I expected, or  
' had Reason to do, I was willing, (and especial-  
' ly in one Thing concerning the Estate of my  
' Grand-Children) to see a good and speedy End.

' In this, finding as great Promises as I could  
' wish, and yet finding their Actions quite con-  
' trary, it stirred up my Son to offer himself to  
' make that Journey; and I thank God, having  
' him now here, I have no Cause to repent of it.  
' For, being of full Age and Ripeness for Mar-  
' riage, he urged me to know the Certainty, in a  
' Matter of so great Weight, that he might not be  
' put off with long Delays; for Delays, in such  
' a Case, are more dangerous than Denials.

' In it I was content (as a rare Example) to  
' grant his Desire; and with him I, only, sent the  
' Man whom I most trusted, *Buckingham*; com-  
' manding him never to leave him nor return  
' Home without him. I thank God for it, it hath  
' learn'd me Wisdom; for, in *Generalibus versatur*  
' *Dolus*. I had general Hopes before, but Particu-  
' lars will resolve Matters when Generals will not;  
' and, before this Journey, Things came to me as  
' raw as if I had never heard of them before. I  
' was as far disappointed of my Ends as if I had  
' been wak'd out of a Dream; now I have  
' put it into a Certainty; and, whereas I walk-  
' ed in a Mist before, I have now brought it to  
' Light. Now,

*My Lords,*

' For the Particulars, they are gone so far as,  
' both in the Treaty of the Match and of the *Pa-*  
' *latinate*, that I know the utmost. I am resol-  
' ved upon what I am like to obtain, and have had  
' Promises and Projects, and some of them lately.  
' But, to shew the Trust that I put in you, I am  
' content that my Secretaries, from the Informa-  
' tion and Assurance of my Son and *Buckingham*,  
' shall relate unto you all; And when you have  
' heard

## Of E N G L A N D. 7

• heard all, *super totam Materiam*, I shall then en- An. 21. James I,  
• treat your good and sound Advice, for the Glo- 1623,  
• ry of God, the Peace of the Kingdom, and the  
• Good of my Children.

• Never King gave more Trust to his Subjects  
• than to desire their Advice in Things of this  
• Weight. For, I assure you, ye may freely ad-  
• vise me, seeing, of my princely Fidelity, ye are  
• intreated thereto. Never Subjects had better  
• Hearts and Experience to give me good Advice  
• than you; of which I make no Doubt, for, if  
• you love yourselves, you will give it me, your  
• own Felicity depending upon it.

• One Particular I must remember you of, be-  
• cause it hath been much talked of in the Coun-  
• try, that I should be slack in my Care of Religion  
• for other Things.

*My Lords, and you Gentlemen all,*

• I pray you judge me charitably, as you would  
• be judged; for, I never made public or private  
• Treasures, but I always had a direct Reservation  
• for the Public-Weal and the Cause of Religion,  
• for the Glory of God and Good of my Subjects.  
• I only thought good sometimes to wink and con-  
• nive at the Execution of some penal Laws, and  
• not to go on so rigorously as at other Times, but  
• not to dispense with any, or to forbid or alter any  
• that concern Religion. I never promised or  
• yielded, I never did think it with my Heart, nor  
• spoke it with my Mouth.

• It is true, a skilful Horseman doth not always  
• use the Spur; but sometimes the Bridle, and some-  
• times the Spur: So a King, that governs wisely, is  
• not bound to carry a rigorous Hand over his Sub-  
• jects, upon all Occasions; but may sometimes  
• slacken the Bridle, yet so as his Hands be not off  
• the Reins.

• So much for that Point, to be cleared upon all  
• Occasions. Now albeit it be a great Matter to  
• require your Advice, yet, in this, I pray remem-  
• ber the Weight of the Business. I cannot limit  
• you Hours nor Days, but your own Hearts must  
• do

## 8 The Parliamentary HISTORY

An. 21. James I. 1623. do it ; for every Man, by Nature, thinks the Time long here, according to his own Occasions at home. Therefore consider the State of Christendom and the State of my Grand-Children, my own Estate and the State of my Kingdom, the Treaties and all.

*My Lords,*

It is not enough, altho' you are never so willing to give me your Advice ; for to plant will not serve the Turn, if I, like a good Gardener, as well as plant, do not weed away from the Roots, and remove the Obstacles that hinder your so good Advice : Of which, the whole Weed and manifest Hindrance that can be, is your Jealousy of me : Free me from that, and, for my Actions, I dare avow them before God and his Angels. But Jealousy hath a deep Sting, take away that, and nothing can do me Harm : You are my Wife, and Jealousy is subject to a Wife ; therefore remove it, and be not jealous of me.

For Matters of Privileges, Liberties, and Customs, be not over curious ; I am your own kindly King. Ye never shall find me curious in these Things : Therefore do what you ought, and no more than your lawful Liberties and Privileges will permit, and ye shall never see me curious to the contrary. I had rather maintain your Liberties than alter them in any Thing. Shew a Trust in me, and go on honestly as you ought to do, like good and faithful Subjects ; and, what you have Warrant for, go on with, and I will not be curious, unless you give me too much Cause.

The next Thing is, to beware that you take not in Hand the maintaining of idle Questions among you ; which spoils good Business. Remember, beware of Genealogies and curious Questions, as St Paul speaks ; and do you keep to the Ground and Gravity of the great Business for which I called you ; and next, for all other Things that are for the great and good Governing of the Kingdom. Let not any stir you up to Law

## Of ENGLAND. 9

• Law-Questions, Debates, Quirks, Tricks and An. 21. James L.  
• Jercks ; but continue yourselves in that honest 1623.

• Modesty, whereby you may have my Prayers  
• to God for you, and procure the Love of me,  
• and an happy End to this Parchament.

• God judge me, I speak as a *Christian Prince*,  
• never Man, in a dry and sandy Desart, where no  
• Water is, did thirst more in hot Weather for  
• Drink, than I do now for a happy Conclusion of  
• this Parliament. I now hope, after the Miscarriage  
• of the last, that this may prove happy : I am nei-  
• ther curious nor captious enough to prevent it.  
• Eschew all Occasions of curious Questions, which  
• may hinder you in this great Cause for which I  
• have called you ; and remember, That spending  
• of Time is spoiling of Busines. And I hope in  
• God, and that by a Faith in God, that, by your  
• Actions this Parliament, I shall clearly see your  
• Hearts ; and that you are the true Representative  
• Body of my Subjects : For you know in your  
• Conscience, that of all the Kings that ever were,  
• I dare say never was King better beloved by his  
• Subjects than I am.

• Therefore, be you true Glasses and Mirrours  
• of their Faces, and be sure you yield the true Re-  
• flections and Representations as you ought to do.  
• And, this doing, I hope you shall not only find  
• the Blessing of God ; but also, by these Actions,  
• procure the Thanks and Love of the whole People,  
• for being such true and faithful Glasses. Lastly,  
• you shall never find me desire any Thing of you,  
• but what shall tend to the common Good and  
• Weal of the Kingdom.'

His Majesty having ended his Speech, the Lord Keeper (<sup>e</sup>), by his Commands, directed the Commons to repair to their own House, and choose a Speaker. The Names of Receivers and Tryers of Petitions, according to antient Custom, being also read, the Parliament was adjourned to Saturday the 21st of February.

On

(e) John Williams, Bishop of Lincoln and Dean of Westminster.

## 10 The Parliamentary HISTORY

An. 21. James I. 1623. On that Day the Commons presented to the King Sir Thomas Crew, Knight, Sergeant at Law, for their Speaker; whose Excuse, for Insufficiency, &c. being not allowed of, he was chosen Speaker. Then the Speaker addressed himself to the Throne, *in hac Verba*:

His Speech to the Throne.

*Most Gracious Sovereign,*

‘ Since I cannot bring an Olive-Branch in my Mouth, as a Sign of my Peace; and that God, (in whose Hands are the Hearts of Kings) without whose Providence a Sparrow doth not fall to the Ground, whom no Man can resist, hath inclined your Majesty to cast your Eye of Grace on me, and to confirm me in this Place: I am taught in the best School, that *Obedience is better than Sacrifice*; and will only say with a learned Father, *Da Domine quod jubes, & jube quod vis*: Otherwise I have great Cause to be afraid of such a Charge, to be executed before so great a Majesty, and in so great an Assembly; but that I hope your Majesty will extend your Scepter of Grace, as *Abas fuerus* did, to sustain me in my Fainting.

‘ Your Majesty is *Princeps Hæreditarius*, descended from both the Roses, and hath united both the Kingdoms. At your first Entrance you wrought a Wonder in the Tumult of our Cares, and Cloud of our Fears, happening upon the Death of the late Queen, by the bright Beams of your Sunshine; which a Poet elegantly express'd, *Mira cano, Sol occubuit, Nox nulla secuta est*.

‘ There was a *David* in *Hebron*, and no *Ishboseth* to disturb your peaceable Entrance; but the Acclamations of all your Subjects and Commons, concurring to express their great Contentment. This was no sudden Flash of Joy, but a constant Blessing, by the Continuance of the Gospel and true Religion, maugre the Malice and hellish Invention of those, who would have blown up all at once; but God laughed them to Scorn, and they fell into their own Trap. These Things I leave to your Majesty's Royal Remembrance, as

## Of ENGLAND. 11

- a Duty to be practised, and to be expressed by our *An. 21. James I.*
- Thankfulness to our holy God; for it is a good *1623.*
- Thing to be thankful: *Non est dignus Dandis,*
- *qui non agit Gratias pro Datis.*

• Since my Designment to this Place, I called to  
• Mind these Statutes of late Times, and find two  
• of especial Note: The first of 32, *Henry VIII.*  
• which was called *Parliamentum doctum*, for the  
• many good Laws made for the settling of Pos-  
• sessions (*f*). The other, 39, *Elizabeth*; which,  
• by a Reverend Divine, was called *Parliamentum*  
• *pium*; because the Subjects were enabled to found  
• Hospitals without Licence of *Mortmain*, or *Ad*  
• *quod damnum*, and other charitable Laws, which  
• I omit, being not perpetual (*g*). And I likewise  
• called to Mind many glorious Offers made by your  
• Majesty, and other good Provisions at the last  
• two Meetings. Now your Majesty hath stretch-  
• ed forth your Scepter to call us to you again, and  
• hath made Declaration, that all Jealousies and  
• Distractions might be removed, and the Memo-  
• ry of Parliament-Nullities might be buried. And  
• my Desire is, that your Majesty's Influence may  
• distil upon us, and you proceed in such a sweet  
• Harmony and Conjunction, that *Righteousness and*  
• *Peace may kiss each other*, and that *Mercy and*  
• *Truth may meet*; and the World may say, *Ecce*  
• *quam bonum & quam iucundum Regem & Populum*  
• *convenire in unum.*

• And, for perfecting this Work, the good Bills  
• against Monopolies, Informers, and Concealers,  
• may now pass, and receive Strength, with Ge-  
• neral, Liberal, and Royal Pardon, according to  
• the Bounty of the late Queen; that so this Par-  
• liament may be called, *Felix, Doctum, & Pium*;  
• which will be good to your Subjects, and no Di-  
• minution to your Revenue, or Derogation to your  
• Prerogative; which, in your Majesty's Hands, is  
• a Scepter of Gold; but, in other Hands, is a Rod  
• of Iron. I need not speak in the Praise of the  
• fundamental Common Laws; *Veritas Temporis*  
• *Filia,*

## 12 The Parliamentary HISTORY

An. 21. James I. 1623. ‘ *Filia*, Time hath sufficiently justified them. Monarchy is the best Government; and of Monarchies, those which are hereditary. The best Supply of your Majesty’s Wants is in Parliament, where the Subject is bound by his own Consent; other Courses of Benevolence come heavily. The Subjects enjoy the Gospel freely by your Protection, and your Majesty may be safe in their Loyalty: Other Safeties are but as *Ajax* his Shield, a Weight rather than a Defence. Their Desire is, that the good Laws for Religion may be confirmed; and that the Generation of Locusts, the Jesuits and Seminary Priests, which were wont to creep in Corners, and do now come abroad, may be, by the Execution of these good Laws, as with an East Wind, blown over the Sea. Our late Queen *Elizabeth* lived and died in Peace; the *Pope* cursed her, but God blessed her: And so shall your Majesty, having God to your Friend, find Safety in the Ark of true Religion, and, when you are old and full of Days, land you in Heaven; and then your hopeful Prince, which sprang out of your own Loins, shall sway that Scepter, which you must leave to enjoy a Crown celestial. And God, in his due Time, will restore the distressed Princess, her Husband and Royal Issue, to that Inheritance which is now possessed by the usurping Sword of their Enemies: Whereof we are the more confident, because that Country was heretofore a Sanctuary in our Distress, when Religion was here persecuted. *Cato* was wont to say, *Hoc sentio. & Carthago destruenda est*: But I say, *Hoc sentio, & Palatinatus recuperandus est*.  
‘ The Question was put to a *Lacedemonian*, Why their City wanted Walls? who answered, *Concord* was their Walls. Your Majesty, under God, is a sole and entire Monarch, whose Walls are the Ocean without, and fortified within with a Wall of Brass, the Bond of Unity and Religion; and happy is that Place, of which it may be said, as of *Jerusalem*, *It is a City at Unity within*.

• within itself. Neither is your Government con- An. 21. James I.  
 • fined within the Limits of this Kingdom, but  
 • extends itself to Ireland; where your Majesty's  
 • Care and Pains, in our late Employment, gave  
 • divers provident Directions for the letting forth  
 • of Religion, the reforming of Courts of Justice,  
 • and the inflicting Punishment on the Disturbers  
 • of the Public Peace. And I was *Ocularis Testis*,  
 • that you have made these ample Endowments  
 • of Churches out of your own excheated Revenue,  
 • as will be to your Honour in all Posterity (e).  
 • But my Desire is, as well in the Beginning, as in  
 • all other our Proceedings, our Words may be  
 • *vera, pauca, & ponderosa.*

• Therefore, with your gracious Favour, accord-  
 • ding to antient Precedents, we are humble Suitors,  
 • that you would be pleased to allow our anient Pri-  
 • vileges (f); and that, for our better Attendance,  
 • our Persons, Goods, and necessary Attendance,  
 • may be free from Arrests; and that we may have  
 • Liberty of free Speech, not doubting but we shall  
 • confine ourselves within the Limits of Duty.  
 • And because this great Busines may give us Oc-  
 • casion often to resort to your Majesty, that upon  
 • our public Suit, you will be pleased to give us  
 • your own fit Time of Access; and that all our  
 • Actions may have a benign Interpretation, and a  
 • good Acceptation and Opinion.

• Lastly, That I may not only be a Speaker,  
 • but an humble Suitor, protesting by the great  
 • God, by whom Kings do reign, That whatso-  
 • ever

(e) Sir Thomas Crew was one of the Members who distinguished themselves against the *Spanish Match*, and in favour of the *Commons Protestation*, in the last Parliament; and was thereupon sent into *Ireland* upon a Commission. See Vol. V. P. 525.

(f) In the Debate relating to the Privileges of the House of Commons, in the last Parliament, this Gentleman made use of these remarkable Expressions: "Our Privileges are our Inheri-  
 tance, not Matter of Grace nor Toleration.—This of that  
 Importance to us, that if we should yield our Liberties to be but  
 of Grace, these Walls, that have known the holding them  
 thus many Years, woul'd blush — In a dutiful Manner, there-  
 fore, to claim our Right."

## 14 The Parliamentary HISTORY

An. 21. James I. 1623. ‘ ever I have said, hath proceeded from a loyal  
‘ Heart ; I therefore desire that I may be covered  
‘ with the Vail of your gracious Construction, or  
‘ acquitted by your gracious Pardon.’

The Speaker having finished his Harangue, the Lord Keeper first conferred with the King, and then answered as follows (g) :

*Mr. Speaker,*

The Lord Keeper's Answer. ‘ **H**I S Majesty hath heard your Speech with no more Patience than Approbation ; and as you have not cast it out into any general Parts, no more will I : It is Pity to pull down a Frame which cannot be set up in so excellent a Form again. A Mathematician writes, That nothing can be so round, but that Points and Stops may be found therein ; so I may observe, in your round and voluble Speech, these distinct Parts and Articles.

‘ You spoke something of yourself, something of the King, and something of the Acts of Parliament, which are of two Natures, some striking for Life, others dropping into their Graves : Something of Common Law in general : Something for the ordinary Supply of Princes : Something of Benevolence : Somewhat of the Increase of true Religion : Somewhat of regaining that which is lost to our Enemies : Somewhat of preserving our own : And somewhat of the Reformation of Ireland. These were your Materials ; the Formals were three. 1. Privileges from Arrests. 2. Freedom of Speech in your House. 3. And, 3. A good Interpretation of all when you have left the House.

‘ I shall, from his Majesty, give Answer to them all, and shall proceed Step by Step.

‘ First, For yourself, *Mr Speaker* : His Majesty hath not only stretched out his Scepter with Assurance, but lifted up his Voice, *qua est Petition tua & dabitur tibi* ; he hath granted all your Petitions,

(g) From the Journals of the Lords.

titions, and doth assure you by me, of his especial Favour.

• *Secondly*, For the King; we cannot deny God's blessing of us, and our blessing of God for his Royal Descent; his peaceable Access to the Crown; his miraculous Preservation in this Place; and our comfortable Hope of the future. All these *ibunt in Sæcula Sæculorum.*

• *Thirdly*, For those Laws, for settling of Possession, that were enacted 32, *Henry VIII.* which you call *Parliamentum doctum*; and those Laws of Charity, made in the 39th of the late Queen, which you call *Parliamentum pium*; and those Statutes of Grace, which were provided in the last Convention, (which his Majesty would have made *Parliamentum gratiosum*) and the Pardon, which may make this *Parliamentum munificum*, his Majesty will take such fit and convenient Courses, as may preserve Life in the one, and give Life to the other; so that you do, *cito obstericare*, play the good Midwife in their Birth.

• *Fourthly*, For the Abortives of the late Assembly, which you call Parliament-Nullities; *quem Animus meminisse horret*: A strange Chimera, such as I never read of, but in the Articles of the new Creed, *credo Ecclesiam Romanam Catholica*m. Parliaments naturally beget \* \* \* \* \* (b). God and the King are averse to Nullities. The first Parliament was the three Persons consulting together *Faciamus Hominem*. God is a Maker and not a Destroyer. Every Consultation is for some Good. Others may commend former Laws. You have kept the best Law till now. In my Opinion, *Lex Oblivionis* is the best: Let the Memory of those Abortions be buried in the River *Lethe*, never to rise again.

• I will put you in Mind of a Story, which *Tully* relates out of *Thucydides*. The *Thebans* having overcome the *Lacedemonians*, in Memory thereof erected a brazen Trophy. A Complaint was made

(b) *Deest in Orig.* Probably the Word, *Laws*.

An. 21. James I.  
1623.

## 16 The Parliamentary HISTORY

An. 21. James I. 1623. made before the Common Council of the Am-  
phitrons, That, by that Trophy, the Memory of  
their Discord was made eternal. Their Judg-  
ment was, that it should be demolished, because  
it was not fitting that any Record should be of  
Discord between Greek and Greek. I leave the  
Application.

• *Fifthly*, For the Common Law, in general,  
• it is of a convenient Disposition, and fit for the  
• Climate; so far approved by his Majesty, that  
• he would never allow any Project which was not  
• justifiable by Common Law.

• *Sixthly*, For the ordinary Supply of the Prince  
• by Parliament, Subsidies are most comfortable to  
• the King and favourable to the Subjects; because  
• they issue from the Heart, and are brought in by  
• the Hands of the People. Benevolence is but an  
• Anchor, and a Help at a dead Lift; because Par-  
• liaments are a great Body and of a slow Motion.  
• The King was averse to that Way, and had ne-  
• ver assented thereunto; but compelled by an in-  
• tolerable Provocation without, and Invitation at  
• Home; and it was bestowed on that inimitable  
• Paragon, once of Majesty, but now of Pa-  
• tience (*i*); that no Man, without Malevolence,  
• can find Fault with that Benevolence.

• *Seventhly*, In the next Place his Majesty re-  
• turn'd Thanks to you for your Care of Religion.  
• Your House was antiently a Chapel; and it still  
• may be said, *Non Domus est, sed Templum*; so  
• many Men as ye are, so many Churchmen. His  
• Majesty gives full Assurance, that he esteems no  
• Estate nor Dignity like to that inestimable Jewel  
• of Religion; and if any Scandal hath been, it  
• hath been taken, not given Cause for: And he  
• wisheth with *Alphonsus*, the great King of *Arra-  
• gon*, That all his Subjects were Kings, that then  
• they might understand and be satisfied He never  
• spared the Execution of any Law, but for a greater  
• Law, *Salus Reipublicæ*; all the rest are *Fines sub  
• Fine*. Our Observation of any Law is not for  
• the

(i) The Prince Palatine, sometime King of Bohemia.

## Of E N G L A N D. 17

• the written Law, but for the Common-Wealth An. 21. James I.  
1623.  
• All the Laws are yet in Force ; no Connivance  
• but for the Propagation of true Religion *What*  
• knowest thou, O Man ! whether the believing Hus-  
• band may save the unbelieving Wife ? You have  
• heard his Majesty's Simile touching a skilful  
• Horseman ; which, in *Zachariah*, is God's Si-  
• mile. Kings are like Riders, the Common-  
• Wealth is the Horse, and the Law is the Bridle ;  
• which must be held always with a sure Hand,  
• not always with a hard Hand : But, *Aliquando*  
• *remittit ferire Eques non omittit Habens.* Yet,  
• if *Hagar* grow insolent, *Cast out the Bond-Wo-*  
• *man and her Son,* his Majesty's Resolution is,  
• *That the Son of the Bond-Woman shall never*  
• *inherit with the Son of the Free.* His Royal  
• Majesty hath given Leave to us, that are his Cha-  
• plains, to put him in Mind of this, God is ever  
• careful of Kings, and Kings cannot be too careful  
• of him.

• His Majesty giveth you Thanks for your just  
• Feeling and Relenting at the Usurpation of that  
• sweet Princess from her Jointure, and expelling her  
• Olive Branches from their Inheritance. A good  
• Cause makes good Soldiers. *Attolit Vire; Militis*  
• *Causa.* It is impossible, by amicable Means, to re-  
• cover the *Palatinate* ; therefore you do well to fort  
• *Cato's Carthago exortenda*, with *Palatinatus deglu-*  
• *tinanda* ; it ought to be unglued again, and pulled  
• out of the Clutches of those Enemies, who, by  
• Force and cunning Treaties, usurp the same. The  
• King knows, and we know, and would have all the  
• World know, the Care he hath taken in this Bu-  
• siness ; *Patrias deprehendere Curas.*

• In the next Place you observe very well the  
• wooden Walls of this Kingdom, the Navy be-  
• ing his Majesty's special Care ; and as the Car-  
• ver, who beautified *Diana's Temple*, tho' it was  
• at the Costs of other Men, yet was allowed, in  
• divers Places, to stamp his own Name ; so it  
• cannot be denied but that Noble Lord, who has  
• now spent seven Years Study, and is become a

## 18 The Parliamentary HISTORY

An. 22. James I. 1623. Master in that Art, may grave his Name upon  
his Work, yet a fitting Distance from his Ma-  
ster's

• *Lastly, For the Reformation of Ireland.* As  
• *Pliny said of Trajan,* That his Care extended not  
• to *Italy* alone ; he hath not only shewed his  
• Beams upon this, but upon other Countries. His  
• Majesty shines upon them by his good Laws ;  
• and tho' that Kingdom adds little to his Crown,  
• it adds much to his Glory.

• And now, *Mr Speaker,* what Liberties, Pri-  
• vileges, and Access were ever yielded to any of  
• your Predecessors, his Majesty now granteth fully  
• and freely, without the least Jealousy or Dimi-  
• nation. I will only add, out of *Valerius Maxi-  
mus, Quid Cato sine Libertate? Quid Libertas  
sine Catone?* What is Wisdom without Liberty  
• to shew it ? And what is Liberty without Wis-  
• dom to use it.'

After this last Harangue was ended, which must  
be allowed very extraordinary for an *Extempore* one,  
the House was adjourned to Monday the 23d of  
February.

The Lords desire  
a Conference con-  
cerning the Spa-  
nish Match and  
the Palatinate.  
On which Day, after the House was called, and  
several Proxies admitted, the Lords took into Con-  
sideration the great Business for which his Majesty  
had summoned this Parliament, and which he had  
imparted to them in that House. Their Lordships  
agreed to desire a Conference with the Commons,  
for the expediting thereof, by the following Mes-  
sage :

• Whereas his Majesty, in his Speech, had said,  
• That he designed the Prince and the Duke of Buck-  
ingham to signify to both Houses the Particulars of  
the last great Negotiation, and his Secretaries to shew  
the Letters and Papers concerning the same : Their  
Lordships being desirous to expedite this great Bu-  
siness, and hold fair Correspondency with them, do  
pray, if their Occasions so permit, a Conference  
to be had between both Houses, in the *Painted  
Chamber, To-morrow, at Two in the Afternoon.*

And,

## Of ENGLAND. 19

And if, upon Doubt of any of the Particulars then An. 21. James I.  
1603. related, any of them move any Questions, they shall be fully and clearly satisfied therein.'

This Message being sent, the House highly approved of the Prince's own Offer to assist the Duke in his Relation to both Houses, and also that the Secretaries should attend with their Papers, and produce them as the Narration shall require. *Answer to the Message.*

' That the Commons returned which the Com-  
mons agree to. to their Lordships hearty Thanks for the good Correspondency they desire to hold with them: They do most willingly embrace the Meeting, as is desired, and will attend their Lordships at the Time and Place appointed.'

The Lords then proceeded to appoint a Committee to take into Consideration the Customs and Orders of that House, with the Privileges of the Peers of this Kingdom, or Lords of Parliament.

*Feb. 24.* On a Motion of the Prince, another Message was sent to the Commons, importing, That the *Painted Chamber* being appointed for the intended Conference that Afternoon, their Lordships now desire that the said Meeting might be in the Hall, at *Whitehall*; that Room being better accommodated for Ease and Hearing. Also to acquaint them with his Highness's Resolution to assist the Duke in his Narration. The Commons readily assented to the first, and declared themselves much satisfied with the Prince's Design.

*Feb. 25.* The now Duke of *Buckingham*, seven Earls, one Viscount, and three Barons, were introduced into the House of Lords, to their several Places, with the usual Ceremonies. On the Prince's Motion, the Report which was to be made this Day, by the Lord Keeper, of the Duke's Narration of Yesterday, was deferred to the 27th.

At which Time the Lord Keeper removed from the Wool-Sack to his Place on the Earls Bench, in order to make his Report; the said Narration having been made to a Committee, and not to the House. This Report, being very long, is much abridged in *Rushworth*; but, since the *Lords Journal*

## 20 The Parliamentary HISTORY

An. 1613. James I. *nat* bath given the Whole, together with Copies of the Letters which passed in this Negotiation, we shall also give it at length; in order that no Part of an Enterprize and Treaty may be hid, which must then have amazed all Europe, and does still demand the Attention of every intelligent Reader of English History (i).

The Lord Keeper told the Lords, That  
The Lord Keeper's Report of the Duke of Buckingham's Negotiations in Spain.

THE Duke of Buckingham began with a threefold Preface:

‘The first concerning himself.

‘The second concerning the Prince’s Highness.

‘And the third concerning the Subject whereof he was to treat.’

‘As touching the first, he craved Pardon of both Houses, if, in the Discharge of this great Burden, which his Majesty had imposed on him, he did not proceed in that Order and Method, (which left in the Memory a sure Dint and Impression) which the Business required; and desired them to consider how unusual it was for him to speak in so great and judicious an Auditory.’

‘As touching the second, he did acknowledge, that, among many great ones, this was none of the least Favours his Majesty had laid upon him, to put him at this Time under the Wings and Protection of the Prince his Highness; without whose Help and Assistance, he was as unable to govern himself in the Parts of the Relation, as formerly in the Passages of the Negotiation.’

‘For the third, he noted his Misfortune to fall upon a Subject of such a Nature as shall afford little Honour to the Relator, of what Affection or Disposition soever he be; for if he be well affected thereto, and shall speak the Truth, he must either blush or wrong his Modesty; if otherwise, (as all true-hearted Englishmen must be affected otherwise) he is sure, by laying out all Things in their true Co.

(i) A full Account of these Proceedings is printed in Rymers Publick Acts, from the Rolls of Parliament; but this is chiefly copied from the Lord’s Journals, Ed. Ang. Tom. XVII. p. 552, &c.

## Of E N G L A N D: 21

Colours, to be taxed of Malice and Envy. How-  
ever, the Business being of the greatest Importance  
*that Christendom has afforded these many Years;*  
and that Advice which the Parliament was to give  
his Majesty, being to be founded in part upon this  
Relation, he would not be afraid to open so much  
as might perfectly inform both Houses in the pre-  
sent Business; but would spare, for all that, (as far  
as the Nature of the Relation would give him leave)  
to dash upon the Ministers employed from the one  
or the other King.'

And this was the Effect of his Grace's *Preface*

In the NARRATION itself his Grace used indeed  
a close, but yet an exact and perfect Method: A  
Man might observe therein six distinct and several  
Parts.

*The first was the Motives of the Prince's Journey to Spain.*

*The second was the Treaty of Marriage set a Foot in Spain, severally, and by itself.*

*The third was the Treaty of the Marriage, and Restitution, united together by a reciprocal Subordination.*

*The fourth was the Prince's Return from Spain.*

*The fifth was his Majesty's subsequent Proceedings in both the Treaties since the Return.*

*And the last was the stating the Question, super totam Materiam.—And therein both the Houses were to offer to his Majesty their humble Advice and Counsel.*

Of these Parts his Grace spoke very distinctly and orderly.

### I. *The Motives of the Prince's Journey to Spain.*

His Grace acquainted us with this Method, which was to open Things.

‘First, in the general, and to leave Particulars to shew themselves, he took it for granted that he need not begin any higher than the Negotiation of Mr.

## 22 The Parliamentary HISTORY

An. 21. James I. Chancellor of the Exchequer with the Arch-Duchess ; which ministred unto his Majesty the first Occasion of Jealousy, and made a Kind of Discovery of their indirect Dealing with this Estate : And then my Lord told us we should see a Dispatch, written from Hampton-Court upon Mr. Chancellor's Return ; and after be acquainted with Mr. Porter's Relation ; which was, in very Truth, the Motive of the Prince's Journey.'

Here was read the KING's Letter of the 3d of October, 1622, to the Earl of Bristol, viz:

Right Trusty and right Well-beloved Cousin and Counsellor, we greet you well,

There is none knows better than yourself, how we have laboured ever sithence the Beginning of these unfortunate Troubles of the Empire, notwithstanding all Opposition to the contrary, to merit well of our good Brother, the King of Spain, and the whole House of Austria ; by a long and lingring Patience, grounded still upon his Friendship and Promises, That Care should be had of our Honour, and of our Childrens Patrimony and Inheritance. We have acquainted you also, from Time to Time, since the Beginning of the Treaty of Brussels, how crostly Things have there proceeded, notwithstanding the fair Professions made unto us, both by the King of Spain, the Infanta, and all his Ministers ; and the Letters written by him to the Emperor, and then effectually, at least as they endeavoured to make us believe : But what Fruits have we of all this, other than Dishonour and Scorn ? Whilst we are treating, the Town and Castle of Heidelberg taken by Force, our Garrison put to the Sword, Mainheim besieged, and all the Hostility used that is within the Power of an Enemy ; as you will see by the Relation which we have commanded our Secretary to send you. Our Pleasure therefore is, That you shall immediately, as soon as you can get Audience, let that King understand how sensible we are of these Proceedings of the Emperor towards us ; and, withall, are not a little troubled to see, That the Infanta having

## Of ENGLAND. 23

having an absolute Commission to conclude a Suspension and Cessation of Arms, should now, at the last, when all Objections are answered, and the former solely pretended Obstacles removed, not only delay the Conclusion of the Treaty, but refuse to lay her Command upon the Emperor's Generals for abstaining from the Siege of our Garrisons during the Treaty, upon Pretext of Want of Authority: So as, for avoiding of further Dishonour, we have been forced to recall both our Ambassadors, as well as the Chancellor of our Exchequer, (who is already return'd to our Presence) as also the Lord Chichester, whom we intended to have sent unto the Emperor to the Diet at Ratisbon. Seeing therefore that, merely out of our extraordinary Respect to the King of Spain, and the firm Confidence we ever put in the Hopes and Promises which he did give us; desiring nothing more than, for his Cause principally, to avoid all Occasions that might put us into ill Understanding with any of the House of Austria, we have hitherto proceeded with a steadfast Patience; trusting in the Treaties, and neglecting all other Means which might probably have secured the Remainder of our Childrens Inheritance, (those Garrisons which we maintained in the Palatinate, being rather for Honour's Sake to keep a Footing until the General Accommodation, than that we did rely so much on their Strength as upon his Friendship) and, by this Confidence and Security of ours, are thus exposed to Dishonour and Reproach: You shall tell that King, that seeing all those Endeavours and good Offices, which he hath used towards the Emperor in this Business, on the Behalf of our Son-in-Law, (upon Confidence whereof that our Security depended) which he continually, by his Letters and Ministers, hath here laboured to beget and confirm us in, have not sorted to any other Use, than to a plain Abuse, both of his Trust and ours; whereby we are both of us highly inured in our Honour, tho' in a different Degree: We hope and desire, that out of a true Sense of this Wrong offered to us, he will, as our dear loving Brother, faithfully promise and undertake, upon his Honour confirming the same and also under his Hand and Seal,

## 24 The Parliamentary HISTORY

An. 23. James I. Seal, either that the Castle and Town of Heidelberg  
1623. shall, within three-score and ten Days after this  
your Audience and Demand made, be rendered into  
our Hands, with all Things therein belonging to our  
Son-in Law or our Daughter, as near as may be in  
the State they were in when taken; and the like for  
Mainheim and Frankendale, if both or either of  
them shall be taken by the Enemy whilst those Things  
are in treating; as also that there shall be, within  
the said Term of three-score and ten Days, a Cessa-  
tion and Suspension of Arms in the Palatinate for the  
future, upon the several Articles and Conditions last  
propounded by our Ambassador, Sir Richard Weston;  
and that the General Treaty shall be set on Foot again,  
on such honourable Terms and Conditions as we pro-  
pounded to the Emperor, in a Letter written to him  
in November last, and with which the King of Spain  
then (as we understood) seemed satisfied; or else, in  
case these Particulars be not yielded unto, and per-  
formed by the Emperor as is here propounded, but be  
refused or delayed beyond the Time before mentioned,  
that then the King of Spain do join his Forces with  
ours, for the Recovery of our Childrens Honour and  
Patrimony, which, upon this Trust, hath been thus  
lost; or if so be his Forces be at this present otherwise  
employed, as they cannot give us that Assistance which  
we here desire, and, as we think, have deserved, yet  
that at least he will permit us a free and friendly  
Passage thro' his Territories and Dominions for such  
Forces as we shall send and employ in Germany for  
this Service: Of all which d.ijunctively, if you re-  
ceive not from the King of Spain, within ten Days  
at farthest after your Audience and Proposition made,  
a direct Assurance under his Hand and Seal, without  
Delay or putting us off to further Treaties and Con-  
ferences; that is to say, of such Restitution, Cessa-  
tion of Arms, and proceeding to general Treaties, as  
is before mentioned; or else of Assistance and joining  
his Forces with ours against the Emperor; or, at least,  
Permission of Passage for our Forces through his the  
Lord King's Dominions, that then you take your Leave  
and return to our Presence without farther Stay:

Other-

## Of ENGLAND. 25

*Otherwise to proceed in the Negotiation of the Marriage of our Son, according to the Instructions we have given you. Given, &c.*

Hampton-Court, Oct. 3. 1622.

‘ Then his Grace desiring us to take for Truth whatsoever he should say, granted and attested by the Prince’s Presence, he shewed that this Letter was not put home to the utmost by the Earl of Bristol; whom, notwithstanding, his Grace excused for the Point of his Return, because he had, in another Letter, some private Directions to stay until his Majesty was advertised from that Place; howsoever he gave out his coming away.’

‘ Mr. Porter carried this Letter, with a peremptory Direction to return homeward after the ten Days Stay; the which Time being now expired, and no Dispatch prepared, Mr. Porter stepped to the Conde d’Olivaris, whose Servant and Creature he had formerly been, and desired him to speed his Dispatch, that he might have some good Answer to carry home with him. The Conde asked him what he would have? to which he answered, No more than had been promised by the King of Spain; which was, that if a Restitution was not made of the *Patronate*, by way of Mediation, that then he would join in Arms with the King of Great Britain to recover the same, and give Passage for the King’s Forces to come at it. The Conde answered, That this Demand was very exorbitant: What! His Master to assist with Arms against his Uncle, against the Catholic League, against the Head of his House? He would never do it.’

‘ Mr. Porter forthwith rejoined, and ask’d him, What Hope he could give him about the Match? To which the Conde answered, That for the Match he knew nothing of it, nor would he understand what it meant — And here give me Leave to weave in two of these Supplements, which the Lord Keeper imparted from their Lordships to the House of Commons, out of the two several Letters of the Earl of Bristol’s, that the Match was originally pro-

## 26 The Parliamentary HISTORY

An. 21. James I. proposed by Spain, and not by us ; namely, by the  
1603. Duke of *Lerma* ; and that the King of *Spain* had  
directly promised Assistance by Arms, in case Me-  
diation could not prevail for the Restitution of  
the *Palatinate*.

' Mr. *Porter* acquainting my Lord of *Bristol*  
with these *Antwers*, observed his Lordship at the  
first to be much mov'd, and to say in Anger, That  
he would call *Olivares* to account if he held this  
Language with him ; and would make him under-  
stand that an Earl of *England* was as good a Man  
as a Conde of *Spain*: But sending for Mr. *Porter*  
nex<sup>r</sup> Morning, this Choler was abated ; and he  
himself confessed that he had chang'd his Resolu-  
tion, and concluded to carry the Business more  
calmly ; for that having soon after spoken with the  
Conde for being so reserv'd, his Answer was, That  
he did not think it proper to impart these Mysteries  
with that Freedom to him, who was not qualified  
as a public Minister. Mr. *Porter*, mov'd here-  
with, expostulated with the Conde for denying  
that to his old Servant, which he had imparted to  
both the Ambassadors ; with that the Conde fell  
into a Rage, and swore *Voto a Dios que in ententos*  
*Emboxadores nil Veras, si ellos asfi dichos*; but, saith  
the Conde, I have Reason to take it ill at your Hands  
(whom I ever favour'd and tender'd as my Child)  
for communicating that to the Earl of *Bristol*,  
which I had told you as a Secret. Mr. *Porter* an-  
swer'd, That, being a Servant of the King's, he could  
do no less than acquaint his Ambassador there-  
withall. But the Truth is, that the Conde was  
highly displeas'd with Mr. *Porter*, in somuch that  
the Duke of *Buckingham* coming into *Spain*, he  
spake it openly, that he hated the Ground which  
Mr. *Porter* trod upon. Mr. *Porter* returning with  
a Dispatch fraught with Generalities, without any  
one Particular or Certainty at all, made his Rela-  
tion to the Prince his Highnes ; who, thereupon,  
took his Resolution to go in Person to *Spain*, and  
gave, himself, these Reasons for that Enterprize.  
He saw his Father's Negotiation deluded ; Matters  
of

## Of ENGLAND. 27

of Religion gain'd upon and extorted ; his Sister's An. 21. James I.  
Case more and more desperate ; that this was the 1613.  
Way to help Things off or on ; that this particu-  
lar Delay was worse than a plain Denial ; and that  
according to the usual Proverb, *A desperate Disease  
must have a desperate Remedy.* This Resolution  
the Duke, by the Prince his Command, made  
known to the King ; who, after he had consulted  
of it together with them, at the last, commands  
the Duke to accompany his Highness in this  
Journey.'

And here ends the first Part of the NARRATIVE, the Motives of the Prince his Journey.

### II. The TREATY of the MARRIAGE severed and by itself.

' When the Prince had arriv'd at Madrid, and immediately discover'd himself to the Earl of Bristol, the Duke sent the next Day to offer a Visit unto the Conde, who was so complemental as he refused to receive him in his own House, but gave him a Meeting in a Garden. Here the Conde magnify'd exceedingly the Prince his Journey ; and i-  
fy'd the Obligations his Highness had put upon that King and his Kingdoms ; said, that now without all peradventure it must be a Match, and we must part and divide the whole World between us. This Complement was very apt (quoth the Duke,) and proper to proceed from them, who had long sithence in their Imagination swallowed up the World as their own ; but not to be so easily believed by us, as being no small Offer to part thus suddenly with the one Half at a Blow ; however, the Ambassadors took an Occasion hereupon to move his Grace, That now having heard this good Affection of the Conde, he would write to the King to justify them in their former Dispatches in this Kind : Nay, soft-  
ly, answer'd the Duke, these are but Generals, when I find the Particulars tuneable hereunto, I shall be ready to relate it to his Majesty.'

' The next Day after when the King and the Prince had met in the Pardo, and performed their

Inter-

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An. 2d. James I. Interview and mutual Ceremonies, the Conde  
1603. taking the Duke into his Coach and Mr. Porter  
for his Interpreter, falling into a Discourse of the  
Match, he said unto the Duke, Let us dispatch this  
Match out of Hand and strike it up without the  
*Pope*. The Duke answer'd, He liked the Manner  
very well, but desired to understand the Means.  
Why? the Means (quoth the Conde) is very easy:  
It is but the Conversion of the Prince, which we  
cannot conceive but his Highness intends upon his  
Resolution of this Journey. His Grace answer'd  
forthwith, That with Freedom they came thither,  
and with Freedom they would return again: They  
were no Jugglers, neither came they to Spain to  
make new Bargains; the Prince was settled in his  
Religion, his Conscience was troubl'd with no  
Scruple in that Kind; if they struck any more on  
that String they would marr the Harmony: Then  
said the Conde, There is no Way, but to send to  
*Rome* to hasten the Dispensation: To the which  
Motion his Grace assented, saying, The sooner they  
did it, the better it was'

\* Whereupon the Conde wrote his Letter to  
the Cardinal *Lodovico*, the *Pope's* Nephew, which  
being shew'd to the Duke, seem'd to him to be ve-  
ry heavy and ineffectual: His Grace desiring there-  
fore to quicken it with such a Postscript, That now  
the Prince being arriv'd must not be sent back  
without his Wife; that Delay to a Suitor is a Kind  
of Refusal; that clogging Instructions would  
amount to a Denial, and new Conditions to an ab-  
solute Breach; the Conde fell into Choler, and  
said directly, It could not be done. [*This the Prince  
affirmed to be acted in his Presence.*] Of this Car-  
riage of the Conde, Sir *Walter Aston* made a doubt-  
ful, the Earl of *Bristol* a more benign Construc-  
tion; but the Duke a downright Conclusion that  
these People never intended either Match or Resti-  
tution; and so wish'd his Highness fairly at Home  
again, and thus the Messenger was dispatch'd to  
*Rome*.

\* By

‘ By this Time you must imagine all the Shews An. 22. James I.  
1603. and Ceremonies for the Prince his Entertainment past over, and within three or four Days after, his Highness is plac’d to see his Mistress in her Passage through the Streets, as she made her Visits from Church; but unsatisfy’d therewith, and pressing for Access, he was delay’d from Day to Day, although promis’d at first to have it within the Compais of two Days. In the mean Time, the Duke hearing that it was refolv’d in Council, that this Viht should be put off, until the Return of the Dispensation, he ask’d plainly of the Conde, If it were so? who confess’d as much in effect, and gave his Grace this Reason for it, That much Scandal had already been taken in the Court, that the Prince was permitted to have seen the Infanta so publickly in the open Streets, and that the Lady should be thus divulg’d and profan’d.’

‘ The Duke reply’d, He should have done well to have dealt freely with the Prince, and to have acquainted him with so much before: After this, his Highness obtain’d a Visit, but a very strange one, and such a Visit as was never heard of before; he was not suffered to speak to her, but as if he had been upon a Stage; his Part ready conn’d, and nothing else, in so many Words and Syllables as they had dictated the same to him. Here the Prince was pleas’d to acquaint us with the Reason they alledg’d for dealing so measuredly and sparingly with his Highness; they were not Astrologers to foresee the Event of this Marriage; they were uncertain whether it should take Effect or no, and therefore they resolv’d to admit him as a Prince only, but not as a Suitor. This Reason was justly dislik’d, and this Course much suspected by his Highness, as himself now alledg’d, yet the Conde salv’d it up with this Complement, That if the Dispensation were once return’d, he should lie with her even that very Night; nay, have her he should, upon any Terms, if he could not be qualified to enjoy her as a Wife, yet he should have her as a Mistress.’

‘ And

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Jan. 21. James I.  
1623. ‘And now, in part, to entertain the Prince, but principally to prevent more Visits, his Highness is carried to a Country-House, call’d *Aranvieu*. Here he is press’d again to change his Religion, but, being deaf and averse to such a Motion, he is set upon by the Conde, to this Effect, Yet, Sir, be a Friend to our Religion: To the which his Highness answer’d, He was no Enemy to their Religion nor to them that profess it. Soon after, riding in a Coach, it was urg’d again by the Conde, That the Infanta was of a tender Conscience, and if she should come into *England*, and find the Prince an Enemy unto her Religion, it would quite dishearten her; his Highness was therefore mov’d to promise to hear the Lady speak upon that Theme; to this his Highness willingly consented, and told us his Reason, which was very probable, because, his Highness was as like to convert her, as she was to pervert him. Not long after, a Conference with some learned Divines is press’d upon his Highness; which the Prince declin’d for these Reasons:’

*First*, ‘If his Highness should be reported in this his first Entrance into the Theatre of the World, to be fickle in his Religion, and to carry these Scruples in his Conscience, it would prove much to his Dishonour in all Parts of *Christendom*.’

*Secondly*, ‘Altho’ his Highness (as he profess’d) was not afraid to confer with any Divines; yet, if after Disputation, they should not prevail against a young Man, they would remain much disgusted and ill-affected to the whole Negotiation.’

*Lastly*, ‘If the Infanta did please herself, with any imaginary Hope of converting the Prince, this Hope would vanish away for the Time to come, if this solemn Conference prov’d ineffectual: Yet the Spaniards were never off from this Kind of Opportunity, but spent therein all the Interim until the Return of the Dispensation.’

‘About this Time, the Conde invited the Prince to treat of the Terms of Friendship; which his Highness put off upon this Reason: Because the emergency:

gent Propositions concerning the Restitution of the An. 21. James I.  
Palatinate may prove a Stay and Remora to the hast- 1603. ening of the Dispensation and the speeding of the Match: whereas, were it once fairly concluded, there would be little Doubt, but the Restitution would be effected; and therefore it was, as his Highness told us, that the Treaty of the Restitution was set aside at this Time, though ever held fit, and intended to go hand in hand with the Treaty of Marriage.'

' Six Weeks after the Prince his Arrival, arriv'd the Dispensation; which, contrary to many former Profections, was four or five Days conceal'd from his Highness: At the last, the Duke having Intelligence thereof did call for it, and so a Committee is appointed to treat thereof, and the Prince attended the Business in Person; but, upon the first Opening of Particulars, the Conde was put to School, and shew'd himself to understand never a Word either of the Match or of the Restitution of the Palatinate: The Articles being propounded to the Prince his Consideration, his Highness most judiciously refused to treat, unless he might have Assurance they should be all cleared and accommodated upon the Place, without sending to Rome to new-mould them; because his Highness understood from Rome, by Mr. Gage his Letter, that the Dispensation was return'd much clogg'd in Matter and Manner; and, especially, with that annex'd new Condition, That the King of Spain, before the receiving of the Dispensation, was to take an Oath to see all the Articles, whereupon the Faculty was issued, really perform'd; or else to make War, in case of any Failure, upon the King of England: A very odd Conjunction with Matters of Alliance, as the Prince well observ'd. His Highness put the Question to the Committee, Whether their King could, and whether he would take this new-found Oath? They answer'd, That the acting thereof must wholly depend and relate to the Prince his facilitating, here in England, some Kind of Connivance in Matters of Religion: Hereupon

## 32 The Parliamentary HISTORY

AN. 21. James I. upon the Prince signified to them his Resolution  
1623. that he neither could nor would alter any Thing in the first Articles sent from *England*, on which the Treaty began.—And here the Duke made a Remonstrance unto us, That if any Thing concerning Religion might seem to be added, (for the Prince said, that nothing was so added indeed) wherewith his Majesty was not formerly acquainted, that it was not the Prince nor his Grace's Fault: Nay, in one of the Articles sought by the Pope, and comprehended in the Prince his private Promise, a great Contestation arose between the Earl of *Bristol* and the Duke; wherein his Grace said, he shewed himself resolute, which the Earl term'd *Opinionastre*, alledging, That the Point in Question was already agreed upon, at least, in Intention, between the two Kings. This the Duke deny'd, and was fithence justified in his Denial by the King's Majesty.'

‘ And now the Juncto of Divines are met together, to resolve the Case of Conscience upon that Preparation and Predisposition of Things and Actions, whether their King might safely take the Oath? At this his Highness enquir'd, What that meant? But Answer was made, That it was only for Form Sake, and should not delay the Busines the Length of one Hour; as the Prince was pleas'd to tell us: But the Truth is, this Committee was the Conde's Wheels, wherewith he set the whole Frame of the Busines backward and forward at his own Pleasure.’

‘ By this Time, the Prince hath gone thro' all the Articles together with the rest of the Committee, and leaving three undecided, That of the Church; that of the Nurse; and that of the Education of the Children; which his Highness reserved until he should speak with the King himself; and going with the Conde in his Coach, he acquainted him with his Resolution for those three Particulars; which, the Conde writing down in a Pair of Table-Books, said, That now the Busines was

was in a better Way than ever : It was a Match, An. 21. James I: and, without more ado, she was his Wife.' 1623.

' But, the very next Morning, came the Marquis of *Montes Claros* and the Conde de *Gondamore*; and spake to the Prince of the same Match, as of a new Thing ; and told him plainly, That unless his Highness came to all the Conditions of the Dispensations, as they were sent from *Rome*, clearly and entirely, nothing would be done ; for they had no Power to remove or alter so much as a Word of false *Latin* : Whereupon his Highness was justly distasted, and offered to break ; for, as himself told us, this was the first Time he saw clearly they wanted to juggle with him ; for the which Alteration and Change of Councils all the Excuse they offered was this, That they were Beasts, and blind, and could not read their own Language.'

' The Prince, thus resolv'd to take his Leave, the Conde stays him with a double Proposition : Either to send to *Rome* to have the Articles, as they were agreed upon, confirmed by the Conclave ; or else to send to *England*, that the King our Master might be drawn unto them, Word for Word, as they came from *Rome* : To the which his Highness return'd this Answer, That he accepted of both Offers, as in due Form and Manner ; that they should send to *Rome*, and himself would repair into *England*, to dispose his Father to this Effect, and to facilitate the Negotiation. And here the Prince declared his Resolution to procure either a fair Breach or a speedy Dispatch. The Conde, finding this to amount to a Breach, thereupon made a new Proposition, That the Prince would be pleased to stay twenty Days, until our Master's Answer might be had from *England*.'

' Here the Prince told us how the Earl of *Bristol* had said unto him, That this was but a mere Punctionio ; and that he receiv'd it from very good Hands, that if his Highness made Shew to yield unto this Proposition, he should not be tied thereunto ; but (said his Highness) when I had once de-

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An. 2d. James I. 1623. termined to stay, I never heard more of the Punc-tilio, but was fast bound to real Performance.'

' After this the Conde and the Earl desir'd the Prince to speak no more of his Return in this Sort; for if he did, they would quarrel with it as amounting to a kind of Menace or Threat; whereupon the Duke answered, That this they could not do, because the Prince bare himself as too well satisfied with the Journey, and no way distasted at all with any Occurrences in Spain; but troubled only with that clogging of Articles which happen'd in *Rome*. But the Earl of *Bristol* replied, That he knew from good Hands, that if his Highness stay'd, they would presently fall to Business. The Prince then resolv'd to stay, upon Condition, that Sir *Francis Cottington* might be dispatch'd away within two Days; and a Courier might overtake him with the Articles that should be sent after, as soon as ever they could be made ready, which his Highness well hoped might have been the very next Day; his Highness took Care hereby, lest the Health of his Secretary, upon whom the Dispatch of the Business wholly depended, might be impair'd with any extraordinary Riding: This Condition of his Highness, although the Conde (to gain more Time) much oppos'd, and would have Sir *Francis* stay'd there untill the Articles should be perfectly digested; yet, by the Prince's fix'd and constant Resolution, the Contrary was at the last obtain'd. And now the Articles are laid upon the Anvil again, and the two Days of their Hammering spun out to twenty; at the End whereof they brought them in with new Additions and Alterations, hoping that his Highness, through Haste or Unadvisedness, would shut his Eyes, and sup them up without more ado. But the Prince read them, sound out the Alterations, and upbraided them with the Practice; and when they excused themselves, as ignorant of the Form, the Prince offer'd to help them with a Precedent, viz.'

' That taking the Oath used in the Marriage-Treaty between King *Philip* and Queen *Mary*,  
and

and adding to it each Article agreed upon, they An. 21. James I.  
1623. might draw it up accordingly; whereupon they snatch'd the Paper out of the Prince's Hand, as resolv'd to pursue this Direction; but, a Sevennight after, brought them back again, as raw and untoward as ever they were, so as the Prince was fain to take them in Hand himself; who, by the Ministry of the Earl of *Bristol*, fram'd them up in a few Hours, to the full Approbation of all the Committee; but (as the Duke observ'd) it was not the Dispatch of the Busines, but the Approach of the Heirs, and, consequently, the Stay of the Prince, which was the principal Object of the *Spanis* Counsellors.'

The Articles being at the last sent into *England*, the Juncto of Divines delivered their Opinions, that the Infanta could not be sent over before the Spring ensuing: But the Prince remembering a former Promise, that the Juncto should not retard his Negotiation for one Hour, resolv'd once more to break the Treaty upon this Occasion. This put the Conde to his Invention again, and caus'd him to make to the Duke and Sir *Walter Aston*, another Proposition; That if the Prince would stay till their Ambassadors should certify out of *England*, that the Articles were assented to by our King, and put in Execution; then the Lady should go over with his Highness, this Vote of the Divines notwithstanding. His Grace answer'd to this Proposition, That it was yet worse in Substance than the other; for the Ambassador may be finisterly affected; besides, it was a Busines of no small Importance to conivne at so many Laws as were pointed at in the Articles; many Occasions of Complaint might intervene hereupon, in the large Circuit of *England*, *Scotland* and *Ireland*; the Ambassadors might take a false Alarm thereby, and return their Certificate accordingly; and so the Prince's Stay should be frustrated and made of no Effect. Then the Conde desired the Duke to go in unto the Commissioners, who were sitting hard by; and to ask them their Opinions, how the Difficulties

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An. 21. James I. 1623. ficulties might be facilitated ; the Duke replied, That he knew it was but lost Labour to go from him, the proper Oracle, to these Commissioners for the Assoyling of that Riddle ; yet the Conde pressed his Grace to do so ; and the Duke stepping forwards, towards the Committee Chamber, was called back by the Conde, and desired to put the Question after this Manner : What Requital or Satisfaction shall the King of *Spain* return for the Favour the Prince had done him by undertaking this Journey ? To which his Grace replied, That now the Question was varied, and the State of it alter'd ; Yet (quoth the Conde) for my Sake, make your first Approach upon them with this Question. The Duke to satisfy the Conde, went in unto them, who wonder'd much to see him ; he told them, he came by the Persuasion of the Conde, to propound this Question to them, What Requital or Satisfaction, &c.'

' They look'd one upon another ; and, in the End, one of them gave him Answer, That he should return to the Conde, and take from him Satisfaction to his Question.'

' And so the Duke went back to the Conde, who presently required what Answer he had received ; the Duke told him, Such a one as he expected, and if they had given him any other, they had not so well deserved that great Trust and Employment in the State, which the King had most prudently impos'd upon them. Why, quoth the Conde, What was their Answer ? Surely, said the Duke, to hold you no longer, it was this, That I should return back again to you to know it. With that, the Conde rapp'd with his Staff, and, calling in the Chancellors, he spake unto them in such a perplexed Stile, as though he would have them understand his Meaning (but yet for fear the Duke should do so too) by any Thing rather than by his Words. At the last, the Bishop of *Segovia* answer'd his Grace to this Effect, He had heard somewhat of the Estate of our Kingdom, and had receiv'd it from good Hands, That our King could not make a Toleration

tion without a Rebellion ; and he easily believ'd it, An. 21. June L.  
because the King of *Spain* is not able in his Domi- 1643.  
nions to effect the like Enterprize, without incur-  
ring the like Danger ; and therefore concluded it  
was unsafe to send the Lady thither at this Time ;  
because we having granted as much, in effect, as  
a Toleration, it was very probable she should be  
welcomed with a Rising and Rebellion. To the  
which the Duke replied, That if the Favours,  
which the King his Master had extended to his  
Catholics, at the Mediation of that King and the  
Advice of that very Committee, be of so dangerous  
a Consequence, it seemed their Lordships, who  
gave their Advice for the Articles, then knew they  
portended Rebellion. But you must know (quoth  
the Duke) that if his Highness had been of my  
Lord Bishop's Opinion, that those Connivances  
had amounted to a Toleration, he had never ac-  
cepted of these Articles to have gained any Alli-  
ance in the whole World : This was but a temporary  
Suspension of penal Laws, but no Toleration ;  
which was never offered to be thrust upon the State  
of *England*, but by Consent of Parliament. Then  
they all look'd wishfully at *Gundamore*, as the Sur-  
veyor General of *England*, and Author of that In-  
telligence ; so that, being eyed by them all, and in  
a Manner pointed out, he said, I must confess, the  
King of *England* is a very learned King, hath go-  
vern'd long, and is very rich in the Hearts of his  
Subjects ; yet do I not hold it fitting to send the  
Infanta thither before the Articles be perfectly put  
in Execution ; nay, Sir, you know very well,  
that I have formerly dealt very plainly and freely  
herein with the King of *Great Britain*. To this the  
Duke replied, That now he had provok'd him very  
far, for he had been acquainted with the Treaty  
from the Beginning, and never yet heard a Word  
fall to that Purpose ; nay, on the contrary Side, the  
Conde de *Gundamore* offer'd to our King the  
Daughter of *Spain*, and begg'd this Alliance merely  
for the Alliance Sake, without any Prejudice to  
the present Government, or the Religion establish'd.

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22. 21. James I. And that when we objected the Disadvantage of  
1613. treating with the Catholic King, because of that  
back Door, to slip in and out at, at his Pleasure,  
(to wit) the Pope's Confistory; *Gundamore* replied,  
The Pope durst not but dispense with this Match,  
if Spain so required; and, for Proof, alledged di-  
vers Instances of Business resolv'd in Spain, though  
disliked by the Pope; to which notwithstanding his  
Holness gave his Consent for mere Fear lest  
his Assent should not be expected or required. The  
Conde de *Gundamore* took this very offensively at  
the Duke's Hands, to be told of those Stories in  
*Spain*, which he had provided for the Meridian of  
*England*; and did his Grace no good Offices from  
that Time forward, which the Duke little regard-  
ed; yet one of his Requitals is very memorable,  
that at the very same Instant, he insus'd into the  
Prince's Highness that the Duke was in Heart (as  
he said all his Kindred were) a Roman Catholic;  
and, to a Jesuit of great Account and Zeal in those  
Parts, that he was a most obstinate, perverse and  
refractory Puritan, which bred his Grace much  
Hatred among the Zealots in those Parts.

• About this Time it was reported, that his  
Highness made some Provision to steal out of the  
Country secretly; and it is very true that Ways  
were laid to intercept him, and in such a Case to  
detain him openly and avowedly as a Prisoner.  
Hereupon, my Lord Duke was sent unto them with  
this brave Remonstrance, That altho' they had  
stolen thither out of Love, they would never steal  
from thence out of Fear; and, however, others  
were guilty of thinking, they two should never be  
guilty of taking so poor and unworthy a Course.'

• And the Prince making about that Time a  
Dispatch unto his Father, sent unto him this Mes-  
sage, by Mr *Graymes*. That if his Majesty should  
receive any Answerment that he was detained by  
that State as a Prisoner, he would be pleas'd, for  
his Sake, never to think upon him any longer as a  
Son; but to reflect, with all his Royal Thoughts,  
upon the Good of his Sister, and the Safety of his  
King-

Kingdom ; nevertheless, the Prince commanded <sup>An. 21. James I.</sup> *Graymes* not to deliver this Message, unless he heard <sup>1623.</sup> that his Highness was there detain'd.'

' And thus far extended the second Part of the NARRATIVE, The Treaty of the Match, as it stood sever'd and divided.'

### III. The TREATY of the MATCH and RESTITUTION reciprocally subordinated.

' When the Prince had refus'd the former Proposition of the Conde, to expect the Certificate from the Spanish Ambassadors, and was resolv'd to stay no longer ; the Conde betakes himself to his last Anchor, and offer'd to his Highness, in case he woul'd accept of the Time of the Infanta's going at the Spring, in a blank Paper to set down his own Condition for the Restitution of the Palatinate. To this his Highness began to listen, as well remembering his Father's Commandment laid upon him at his Departure, that, together with his Alliance, he should endeavour to the utmost of his Power, the Peace of Christendom ; he therefore sent the Duke and Sir Walter Aston to the Conde, to know whether he meant seriously and really in this Offer.'

' The Conde avow'd that he did ; and that this was the only Way now left to gain the Palatinate by Way of Treaty, otherwise the King our Master must re-conquer it with Arms if he will have it. This being justified to the Prince, by the Duke and the Interpreter, (whom, in every Employment, the Duke brought still to the Prince for the Witness of his Negotiation) his Highness, to prevent the further Shedding of Christian Blood, yielded to the Proposition for his Stay.'

' Here it is fit to observe this Passage, which is the Thing upon which all his Highness's subsequent Actions are turned and moved : He had never staid a Se'nnight longer in Spain, he had never left any Proxy with the Earl of Bristol, he had never taken any Oath at the Escorial, or so much as ever written a Let-

An. 21. James I. 1623. a Letter of Compliment to the Lady ; but that he had still before his Eyes as his Land-Mark, the Promise made by the Conde for the Restitution of the *Palatinate*. This one Observation will serve as a Torch, to cast not only a Light, but a Lustre, upon all his subsequent Actions.'

' At this Stay of the Prince's, there appear'd generally in the Court, great Alacrity, such Caresses and Expressions of Joy, as the Duke professed he never saw the like.'

' His Grace laying hold upon this good Humour, thought it best striking when the Iron was hot ; and begun to cast about how to shorten these Months, and to hasten the Delivery of the Lady. He presented unto the Conde, how his Master was now in Years, the Prince was his only Son, and he long'd to see Issue by him. That his Highness would suffer much in his Honour and Reputation, to return Home without his Wife ; that the Infanta coming in his Company would open to her a wide Passage into the Hearts and Affections of all the People ; that this would kill, in the very Root, the Practices of other Princes to divert this Alliance ; and lastly, this would put an eternal Obligation upon the Duke himself, and a glorious Lustre and Repute upon his present Journey and Employment.'

' The Conde said hereupon, That he was bewitch'd with these Reasons, and assur'd the Duke his Motions should take Effect, only the Prince must not be acquainted therewith ; but himself would suddenly prepare for the Voyage, and would needs have the Prince name a Day for his Departure, which accordingly was design'd and appointed.'

' This News either came indeed, or was pretended to have come, to the Infanta. She is suppos'd to take it exceedingly ill ; and the Condesa d'Olivares, who hath the Care of her Education, sent unto the Prince, that it became him not to forsake the Company of such a Lady, for the gaining of a poor Circumstance of Time, after so many and

so extraordinary Expressions of Love and Affection; *An. 22. James I.*  
and upon her Assurance that no Advantage should be  
taken of that Promise, prevail'd on his Highness  
to return this Compliment, that rather than give her  
Highness any Disgust, he would stay for her seven  
Years. The Conde (who winked thro' his Fingers  
at these Actions of his Wife) being press'd to prepare  
for the Infanta's going (according to that Enchant-  
ment the Duke had cast upon him) burst out into  
Oaths; and demanded, If they thought he had no-  
thing else to do with his Master's Money, but to  
throw it out of the Windows in this kind: And  
when the Prince replied again, That if he were so  
careful a Steward for his Master, his Highness  
himself would defray the Preparations; he refused  
the Offer, and said, his Master expected no such  
Supplies. By this Time Sir Francis Cottington ar-  
riv'd with all Things perfected by the King, and  
Letters of good Satisfaction from the Ambassadors,  
and a Command from our King unto his Highness,  
to make his Return within one Month after the  
Reception of these Letters. When the Prince ex-  
pected to have found them wrapt in an Extasy of  
Joy, they were in much Disorder at the Hearing of  
the News; and infinitely troubled that his Majesty  
had so well and so quietly overcome so many Par-  
ticulars. Here the Duke made his Annotation, That  
he did not positively affirm they meant to have  
bred any Stirs in *England*; but this he well remem-  
bered, that when the Prince, to dispute them out  
of their unreasonable Demands in Matters of Reli-  
gion, objected against them, this Danger of Rebel-  
lion, they replied again, That if he fear'd any  
such Thing, he should be waited upon into *Eng-*  
*land* with a good and strong Army to decide all  
Controversies in Religion: A Courtesy, as the Lord  
Keeper observ'd in reporting the same, better un-  
derstood in *Milan*, *Naples*, and *Germany*, than  
hitherto (God be thank'd) in this Island; but the  
Prince told us his own Answer to this Compliment  
of theirs was, That the Remedy was worse than  
the Disease.'

‘ Yet

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AN. 21. James I.  
1613. Yet all this while there was no Preparation made by the Conde, not so much as for the Prince's Journey; which his Highness said, was therefore deferr'd in Hopes to have made him fast and betrothed before his Departure.'

' Upon the Certificate of the Ambassadors brought by Sir *Francis Cottington*, the Duke press'd the Conde with his former Promise to deliver the Lady now, the Condition being perform'd: The Conde told him, The Time was past; and tho' his Grace offer'd to tarry the very Brim of Winter for her Company, yet was the Motion slighted, and the Duke desir'd to trouble himself no more with any Thoughts to that Purpose.'

' About this Time the Conde renew'd the Treaty for the Restitution of the *Palatinate*; saying, The Lady should by no Means go into *England* before that Business was accommodated: And after Conference with the *German* Ambassadors, there was projected a Restitution of the Land to the Son, upon Condition of a Marriage with the Emperor's Daughter, which the Prince did not dislike; but there was added withal, another Condition, that his Son should be bred in the Emperor's Court, which his Highness utterly rejected.'

' As concerning the Prince *Palatine* himself, he must, like *Cain*, have a Mark of Infamy upon his Person; and, for his Electorate, it was a Thing *in Nubibus*, which hung in the Air, and altogether beyond their Reach and Power; nor would they by any Means undertake the same.'

' Then the Prince demanding of the Conde, Whether, in case the Emperor prov'd refractory, the King, his Master, would assist him with Arms, to reduce him to reasonable Terms?'

' The Conde answered negatively: because they had a Maxim of State, That the King of *Spain* must never fight against the Emperor.'

' He had, indeed, (for it was not to be denied) dealt very ill with them in this Particular; but if he should beat and buffet them, they would not promise to employ their Forces against the House of

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of Austria. Hereupon his Highness made his Pro-  
testation to the Conde, Look to it, Sir, for if you  
hold yourself to that, there is an End of all; for,  
without this, you may not rely upon either Mar-  
riage or Friendship; for I must, as I am required,  
return to my Father, and acquaint him with your  
Resolution in this Point. Look for neither Mar-  
riage nor Friendship without Restitution of the Pa-  
latinate.'

' Yet was not the Earl of Bristol so absolutely  
persuaded of the Prince's Resolution; for he offered  
(as was related in the House of Commons) to  
lay with him a Ring worth 1000 l. that for all his  
Father's Letters, his Highness would keep his  
*Christmas at Madrid*; which Wager the Prince  
laid with him, and gave away his Ring before his  
Face.'

' About the Time it was concluded that the  
Infanta should not come away with the Prince, the  
Duke took occasion to open his Mind with some  
Freedom to the Conde *d'Olivares*: He had put  
him in mind how he had formerly told his Grace,  
That they in *Spain* could do with the *Pope* what  
they would; and that his Holiness never assented  
to the Dispensation, until they had said it was  
full Time, and had given him his proper Cue:  
And that the Conde was the Cause of calling the  
Juncto of Divines; which the Conde confes-  
sed, saying, That the Devil had put it into his  
Head so to do. Also that the Conde had offered to  
his Grace the present conducting of the Lady, so  
as he would but endanger h's Soul for the Favour,  
and turn Roman Catholie. To all this the Conde  
made Answer, That there were but three Ways to  
wade thro' this Busines; whereof two were good,  
the third an ill one: The first good one was the  
Conversion of the Prince, which now he found  
was absolutely impossible: The second good  
Way was, that as they were obliged by the Prince's  
free coming into *Spain*, so they, with the like Free-  
dom, to deliver up the Infanta into his Hands, trust-  
ing him without further Condition: And the third  
Way,

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An. 27. James I. Way, which he said was a very ill one, was to  
1623. wrap him and swaddle him up, as hard as they could, with nice Articles and strict Conditions. Whereupon the Duke replied, they had made *Medea's Choice*; discovered the best, and chosen the worst of all the Ways. The Conde replied again, That if he were a Counsellor at large, he would advise the King to commit the Infanta unto his Highness freely and absolutely, without Conditions: So would he do, if he were King; and, as he was, he would do so, if the King was thirty Years of Age; but, being a Favourite, to answer the Actions of a minor King, (altho' he cannot deny but it lies in his Power) yet he resolved, the Infanta shall not go along with his Highness, but upon these Conditions.'

' Thus, by this Time, the bravest Prince in *Eas-  
ope* is grown cheap and vulgar in the Court of *Spain*, so as they scarce bestow a Visit on him; and the Conde came very seldom at him, pretending, for a Reason, that his Highness looked but heavily on him. In fine, the Duke was fain to negotiate the Condesa, to procure her Lord to vouchsafe, now and then, to look upon his Highness.'

' About this Place the Duke declared to us how, in the Flashings and Lightnings in the Conde's Favour towards him, these two Letters came to be produced, which are to be read by and by. The Conde, when in the good Humour, told his Grace, That now certainly it was to be a Match, and that the Devil could not break it. The Duke replied, he thought so too; and that the Match had need be firm, which had been seven Years in soldering.'

' The Conde denied it, and said plainly, it had not been really intended seven Months. The Duke rejoined, That if he were sure of that, he could ingratiate himself very much with his Master, and receive many Thanks for his Journey and Employment; if he could make it appear to the King, that the Marriage was the Produce of this Negotiation only. Then said the Conde, I will fetch that out of my Desk that shall assure you thereof;

## Of ENGLAND. 45

thereof; and so produced these two Letters: The <sup>Anno 22. James I.</sup> first was written with the King of Spain's own <sup>1622.</sup> Hand; then read over five or six Times, and the Substance collected in their Memory, by the Prince and Sir Walter Aston, (the Duke having promised it should not be copied, and indeed the Time not permitting to do it) and, by and by, after set down in Writing; if we remember who were the Notaries, we need not doubt but it is authentically taken. The second Letter is translated by the Prince himself.'

### The King of SPAIN's LETTER of the 5th of November, 1622.

THE King, my Father, declared at his Death, that his Intent never was to marry my Sister, the Infanta Donna Maria, with the Prince of Wales; which your Uncle Don Baltazar understood, and so treated this Match ever with Intention to delay it; notwithstanding it is now so far advanced, that, considering withall the Averseness of the Infanta to it, it is Time to seek some Means to divert the Treaty, which I would have you find out, and I will make it good whatever it be; but, in all other Things, procure the Satisfaction of the King of Great Britain, who hath deserved very much, and it shall content me, so that it be not in the Match.

### The Conde d'OLIVARES's LETTER of the 8th of November 1622, touching the Marriage.

SIR,

Considering in what Estate we find the Treaty of the Marriage between Spain and England, and knowing certainly how the Ministers did understand this Business, that treated in the Time of Philip III. (now in Heaven) that their Meaning was never to effect it; but by enlarging the Treaties and Points of the said Marriage, to make Use of the Friendship of the King of Great Britain, as well in the Matters of Germany as of Flanders; and suspecting likewise, that your Majesty is of the same Opinion, altho' the De-

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Ab. xi. James I. 1623. *Demonstrations do not seem so joining to these Suspensions ; yet it is certain, that the Infanta Donna Maria is resolved to put herself into the Discalzes (k), the same Day that your Majesty shall press her to make this Marriage ; I thought fit to represent unto your Majesty that which my good Zeal hath offered unto me on this Occasion ; thinking it a good Time to acquaint your Majesty withall, to the end you may resolve of that which you shall find most convenient, with the Advice of those Ministers that you shall think fit.*

The King of Great Britain doth find himself, at this Time, equally engaged in two Businesses ; the one is the Marriage, to which he is moved by the Conveniences that he finds in your Majesty's Friendship, without making an Agreement with those Catholics that he thinks are secretly in his Kingdom, and by this to assure himself of them ; as likewise to marry his Son to one of the House of Austria, knowing that the Infanta Donna Maria is the best born Lady in the World. The other Business is the Restitution of the Palatinate, in which he is yet more engaged ; for besides that his Reputation is at the Stake, there is added the Love and Interest of his Grand Children, Sons of his only Daughter ; so that, both by the Law of Nature and Reasons of State, he ought to put them before whatsoever Inconveniences might follow from dissembling what they suffer.

I do not dispute whether the King of Great Britain be govern'd in this Business of the Palatinate by Art or Friendship : I think a Man may say he used both ; but, as a Thing not precisely necessary to this Discourse, I omit it. I hold it a Maxim, that those two Engagements, in which he finds himself, are inseparable ; for altho' the Marriage be made, we must fail in that, which, in my way of Understanding, is most necessary, the Restitution of the Palatinate.

This being supposed, having made this Marriage in the Form as it is treated, your Majesty shall find yourself, together with the King of Great Britain, engaged in a War with the Emperor and the Catholic League ; so that your Majesty will be forced to declare

(k) A Monastery so called.

## Of ENGLAND. 47

clare yourself, with your Arms, against the Emperor An. 15. James. and the Catholic League ; a Thing which, to hear the, with this Uncertainty, will offend your godly Ears ; and, declaring yourself for the Emperor and the Catholic League, (as you certainly will) your Majesty will find yourself brought into a War against the King of England, and your Sister married with his Son ; with the which all whatsoever Reasons of Convenience, that were thought upon with this Marriage, do cease. If your Majesty shall shew yourself neutral, (as it may be some will propound) That will give cause of very great Scandal ; and with just Reason, since, in Matters of less Opposition, than of Catholics against Heretics, the Arms of this Crown have taken the godly against the convenient Party : And, at this Time, the Frenchmen fomenting the Hollanders against your Majesty, your Piety hath been such, that you have sent your Arms against the Rebels of that Crown ; leaving all the great Considerations of State, only because these Men are Enemies to Faith and the Church.

It will oblige your Majesty, and give Occasion to those of the League to make Use of the King of France and other Catholic Princes ill-affectioned to this Crown ; for it will be a Thing necessary for them to do so ; and those, even against their own Religion, will foment and assist the Heretics for Hatred to us ; without doubt they will follow the other Party, only to leave your Majesty with that Blemish that never hath befallen any King of these Dominions. The King of England will remain offended and disengaged, seeing neither Interests nor Helps do follow the Alliance with this Crown ; as likewise with Pretext of particular Resentment, for having suffered his Daughter and Grand-Children to be ruined for Respect of the said Alliance.

The Emperor, tho' he is well affected, and obliged to us in making the Translation at this Time (1), as Business now stands, the Duke of Bavaria being possessed of all the Dominions ; altho' he would dispose all

(1) The Translation of the Palatine Electorate to the Duke of Bavaria.

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AN. 21. James I. 1603. all according to our Conveniences, it will not be in his Power to do it, as your Majesty and every Body may judge; and the Memorial that the Emperor's Ambassador gave your Majesty Yesterday maketh it certain; since, in the List of Soldiers, which it maketh every one of the League to pay, he shews your Majesty, that Bavaria, for himself alone, will pay more than all the rest together; the which doth shew his Power and Intention, which is not to accommodate Matters, but to keep to himself the Superiority of all in this broken Time. The Emperor is now in the Dyet, and the Translation is to be made in it.

The Proposition in this Estate is by considering the Means for a Conference, which your Majesty's Ministers will do with their Capacity, Zeal, and Wisdom; and it is certain they will have enough to do with it all: For the Difficulty is to find a Way to make the present Estate of Affairs streight again; which, with lingering, as it is said, both the Power and Time will be lost. I suppose that the Emperor, as your Majesty knoweth by his Ambassadors, desires to marry his Daughter with the King of England's Son; I do not doubt but he will be likewise glad to marry his second Daughter with the Palatine's Son; then I propound that these two Marriages be made, and that they be set on foot immedately, giving the King of England full Satisfaction in all his Propositions, for the more strict Union and Correspondency, that he may agree to it. I hold it for certain, that all the Conveniences that would have followed the Alliance with us, will be as full in this, and the Convenience in the great Engagement is more by this; for it doth accommodate the Matter of the Palatinate, and the Succession of the King of England's Grand-Children, with Honour, and without drawing a Sword or wasting Treasure: With this Interest the Emperor, with the Conveniences of the King of England and the Palatinate, (the only Means, in my Way of understanding, to binder those great Dangers that do threaten) may readily accommodate the Business, without severing himself from the Convenience and Engagement of Bavaria. Then I would reduce the Prince Elector,

that

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that was an Enemy, to the Obedience of the Church, An. 21. James I.  
by breeding his Sons in the Emperor's Court with Ca- 1623.  
atholic Doctrine.

The Busines is great, the Difficulties greater than perchance have been in the other Case. I have found myself obliged to represent unto your Majesty, and shall shew, if you shall command me, what I think fit for the disposing of these Things, to the great Ministers that your Majesty hath. I hope, with the particular Notice of these Things, and all being help'd with the good Zeal of the Conde de Gundamore, it may be God will open a Way to a Thing so much for his and your Majesty's Service.

‘ It was observ'd, by reason of the pertinent Question moyed by the Lord Chamberlain, that these Letters were written when Porter was in Spain.’

‘ His Highness remembered, that Sir Walter Afton was struck mute at the reading of these Letters; for, upon the Death of the late King of Spain, he and Sir Francis Cottington, going from our Master to the King that now is, to know his Mind concerning the Treaty of the Marriage, received from that King, and return'd it to his Majesty, That he was very sorry that he had not the Honour to begin it; but now he would pursue it with all Alacrity. It went before in his Father's Lifetime; it shall run now: Then it had leaden Heels; he would now give it Wings.’

And hitherto extenus the third Part of the NARRATIVE, which comprehends the Treaties of the Marriage and Restitution, as united, and now reciprocally subordinated the one to the other.

### IV. The PRINCE’s RETURN from Spain.

‘ And now the Prince returning for England, being engaged to leave his Proxy, did deposite the same in the Hands of the Earl of Bristol, who was to keep it as his Proctor; that is, as he should receive his Highness’s Directions from Time to Time,

## 50 The Parliamentary HISTORY,

An. 21. James I. Time. His Order for the present was, That if ~~1~~  
1623. Confirmation came from *Rome*, clear and entire,  
which it did not, then within so many Days he  
should deliver it to the King of *Spain*. A second  
Direction was sent unto him by a Letter, which his  
Highness sent unto him between his Departure from  
the *Ejusdial* and his Coming to the Sea Side, to  
this Effect; That for fear a Monastery should rob  
him of his Wife, he should stay the Delivery of  
the Powers unill that Doubt was clear'd; and that  
his Highness should send him, in the Premisses, some  
further Direction.'

' Here, because my Lord of *Bristol*, in his Letter  
of the first of *November*, 1623 (which follows  
anon in this Discourse) doth press to vehemently  
the Prince's Faith not to retract his Proxy; and  
that *Serica*, the Secretary, had inserted such a Clause  
in the Instrument, sign'd and seal'd authentically;  
the Lord Keeper, in his Report in this Place, col-  
lected all those Parts of the Narration which might  
serve to clear this Act of his Highness; and added  
some Reasons to maintain the same.'

' First, The Prince avowed openly, before both  
Houses, That he had never, by Oath or Honour,  
engaged himself not to revoke the Powers, more  
than by the Clause *de non revocando Procuratore*,  
inserted in the Instrument itself.'

' Secondly, His Highness added in the Upper  
House, That when he himself first heard that  
Clause read, he stumbled at it; but was answered  
again, that it was but a Matter of meer Form, and,  
tho' essentially of no binding Power, yet usually it  
is thrust into every such Instrument.'

' Thirdly, The Lord Keeper said, and appealed  
thereto all the Civilians attenant in that House,  
That it is lawful, by the Civil and Common Law,  
for any Man to revoke his Proxy for Marriage,  
notwithstanding it hath the Clause *de non revocando  
Procuratore* inserted in it; yea, and this may be  
done without any solemn Notification thereof:  
And therefore he concluded, that the Earl of *Bri-  
stol*, in charging this upon the Prince, had therein  
for-

## Of ENGLAND. 51

forgot himself; and that his Highness might justly, An. 21. James I. honourably, and legally, not only have stopp'd as he did, but withall, if he had so pleased, absolutely 1623. have revoked his own Proxy.'

And thus much of the fourth Part of the NARRATIVE, Of the Prince's Return from Spain.

### V. The SUBSEQUENT PROCEEDINGS of his MAJESTY in both the Treaties, since the Return of his Highness.

' And here the Duke told us how the Prince, at the last, by the Mercy of God, and his own wise and judicious Demeanor, came to Royston; and made his Relation to the King of all that had passed. His Majesty was glad of this exact Carriage of his Son in so great a Negotiation, and told his Highness, That he had acted well the Part of a Son, and now the Part of a Father must come upon the Stage; which was, to provide with all Circumspection, that his only Son should not be married with a Portion of Tears to his only Daughter; and therefore his Majesty commands, by an express Dispatch, that a Stop be put to the Proxy in the Earl of Bristol's Hands, untill he had some better Assurance of the Restitution of the Palatinate. Hereupon the Lord Keeper observed, That this is no upstart or springing Condition, but that the very same was offered by Olivares's blank Papers to his Highness, and press'd by his last Answer to Olivares.

His Majesty's LETTER to the Earl of Bristol,  
October 8th, 1623.

WE have receiv'd yours, brought us by Greysley, and the Copy of yours to our dear Son: And we cannot forbear to let you know how well we esteem your dutiful, discrete and judicious Relation and humble Advice to ourself and our Son, whereupon having rightly delberated with ourself, and communicated with our dear Son, we have resolv'd, with the great Liking of our Son, to rest upon that

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An. 21. James I. Security, and in point of Doubt of the Infanta's  
1623. taking a religious Order, which you in your Judg-  
ment think meet; we have further thought meet to  
give you Knowledge, that it is our special Desire, that  
the Betrothing of the Infanta, with Words de præ-  
senti, should be upon one of the Days in Christmas,  
New Style, that holy and joyful Time best befitting so  
notable and blessed an Action.

But first we will, that you repair presently to that  
King, and give him Knowledge of the safe Arrival  
of our dear Son at our Court, so satisfied and taken  
with the great Entertainment, personal Kindness,  
Favour and Respect he hath receiv'd from that King  
and Court, as that he seems not able to magnify it  
sufficiently: We will therefore, that, by all possible  
Means you endeavour to express our Thankfulness to  
that King, and the rest to whom it belongs, in the  
best and most ample Manner you can.

And hereupon you may take Occasion to let that  
King know, that, according to our constant Affection,  
to make a firm and indissolvable Amity between our  
Families, Nations and Crowns, (and not to seem to  
abandon our Honour, nor, at the same Time we give  
Joy to our only Son, to give our only Daughter her  
Portion in Tears) by the Advice of that King's Am-  
bassadors, who have offered themselves as our Counsellors,  
we have entered into a Treaty concerning the  
Restitution of the Palatinate, as will more particu-  
larly to you appear, by the Copies herewith sent.

Now, we must remember you, that we have under-  
stood and expected, that, upon the Marriage of our  
Son with the Infanta, we should have a clear Resti-  
tution of the Palatinate and Electoral Dignity to our  
Son in-Law; to be readily procured by that King, accord-  
ing to the Obligation of his own Honour, as you have  
well express'd in your Reasons why the Person of our  
Son-in-Law should not be left out of the Treaty, but  
that the Emperor should find out some great Title,  
or by increasing the Number of Electoral Stiles,  
wherewith to satisfy the Duke of Bavaria. We there-  
fore now require you, that presently, in your first Au-  
dience, you procure from that King a punctual An-  
swer

## Of ENGLAND. 53

wer what Course he will take for the Restitution  
of the Palatinate and Electorate to our Son-in-  
Law; and, in case that either the Emperor or the  
Duke of Bavaria will oppose any Part of the expected  
Restituton, what Course the King will take to give  
us Assurance for our Content in that Point whereof  
we require your present Answer; and that you so press  
Expedition herein, that we may together receive the  
full Joy of both at Christmas: Resting upon that  
faithful Diligence of yours we have approv'd in all  
your Service, though, almost with the latest, we  
must remember to you, as a good Ground for you to  
work on, that our Son did write unto us out of Spain,  
That the King would give us a Blank, in which we  
might form our own Conditions concerning the Pala-  
tinate; and the same our Son confirms unto us now:  
What Observation and Performance that King will  
make, we require you to express, and to give us a  
speedy Account.

Given, &c.

‘ Hereabouts the Duke desired us to observe well  
the Spanish Proceedings; and if we found them not  
still to be built upon Generals, without any one di-  
stinct or certain particular Obligement, he would  
acknowledge his own Weakness and Incapacity of  
those Affairs.’

‘ You would conceive, saith the Duke, that  
upon this Dispatch, the Earl of Bristol would lay  
hold upon all the Hints and emergent Occasions  
to put off the Desponsaries, without this requir'd  
Assurance of Assistance by Arms first obtain'd:  
But the Truth is, he did not so.’ For,

First, ‘ The Confirmation came from Rome,  
clogged and mangled; and, instead of challenging  
them thereupon, he labours, with no small Strength  
of Wit, to hide and palliate the same.’

Second'y, ‘ When, in the temporal Articles, the  
Portion was alter'd from 600,000 l. in ready Cash,  
to only 80,000 l. in Money, a few Jewels, and  
a Pension of 20,000 l. per Annum: Instead of

An. 21. James I.  
1623.

## 54 The Parliamentary HISTORY

An. 21. James I. 1613. quarrelling this main Alteration, he seems to approve and applaud the Payment.'

Thirdly, ' For the Assurance of Restitution of the Palatinate, the main Foundation of both Match and Friendship, he is so far from providing for it before, (which was the Method prescrib'd him by the King) that he leaves it to be mediated by the Infanta after the Marriage.'

Lastly, ' Instead of putting off the Contract, as any Man in the World (upon the Dispatch from Royston) would have done, he is come to prefix a precise Day for the Desponsaries.'

' These Things appear very plainly, by the Letters of the 24th of October, and the 1st of November, 1613, which follow:

May it please your Most Excellent Majesty,

I Have received your Majesty's Letters, of the 8th of October, on the 21st of the same Month, some Hours within Night; and have thought it fit to dispatch this back to your Majesty, with all possible Speed; referring the Answer to what your Majesty hath, by these Letters, commanded me, to a Post that I shall purp<sup>s</sup>ch dispatch, when I shall have negotiated the Particulars with this King and his Ministers; wherein (God willing) all possible Diligence shall be used.

But, soasm<sup>t</sup> ch as I find, both by your Majesty's said Letters and likewise by Letters which I have received from the Prince his Highness, that you continue your Desires of having the Match proceeded in; I held it my Duty, that your Majesty should be informed, that though I am set free (in as much as concerneth the Infanta's entering into a religious Order) for delivering the Powers left with me by his Highness; yet, by this new Instruction I now receiv'd from your M<sup>t</sup>. I w<sup>t</sup>rat the Desponsaries should be deferred till Christmas; the said Powers are made altogether useless: i. v. bld; it being a Cause in the Body of the said Powers, that they shal only remain in Force yntil Christmas and no longer; as your Majesty may

## Of ENGLAND. 55

may see by a Copy of them, which I send here inclosed.

An. 21. James I.  
1623.

Your Majesty, I conceive, will be of Opinion, that this Suspending of the Execution of the Powers, untill the Force and Validity of them be expired, is a direct and effectual Revoking of them; which, not to do, how far his Highness is in his Honour engaged, your Majesty will be best able to judge, by viewing the Powers themselves.

Further, if the Date of these Powers do expire, (besides the Breach of the Capitulations) altho' though the Match itself you'd not, by Fears and Misgivings, be hazarded, yet the Prince himself coming into England at the Spring will, eas'ly, be impossible; for, by the Time that such new Commission, and Power, shall be after Christmas, granted by the Prince as may be to the Satisfaction of both Parties, I conceive, so much of the Year will be spent, that it will be impossible for the Fleet, and other Preparations to be in Readiness against the Spring: For it is not to be imagined that they will bere procced so effectually with Preparations, untill they shall be assured of the Desponsals; especially, when they shall have seen them several Times deferred on the Prince his Part, and that upon Pretexts that are not new, nor grew since the granting of the Powers, but were before in being, and often under Debate, and yet never were insisted on to make Stay of the Business; so that it will seem that they might better have hindred the granting of them, than the Execution of them. Now, if there is no Staggering in former Resolutions, the which, altho' really there is not, yet it cannot but be suspected; and the Clearing of it between Spain and England will cost much Time. I must humbly crave your Majesty's Pardon, if I write unto you with the Plainness of a true-hearted and faithful Servant, who has ever so operated honestly to your Majesty's Ends, if I knew them.

I know your Majesty hath long been of Opinion, that the greatest Assurance you could get, that the King of Spain would effectually labour the entire Restitution of the Palatinate, was, that he really professed to the effecting of the Match: And my InSTRUCTIONS,

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An. 21. James I. structions, under your Majesty's Hands, were to insist  
1603. upon the Restoring of the Prince Palatine; but not so  
to annex it to the Treaty, as that thereby the Match  
should be hazarded; for that your Majesty seem'd  
confident, that they here would never grow to a per-  
fect Conclusion, without a settled Resolution to give  
your Majesty Satisfaction in the Busines: of the Pa-  
latinate. The same Course I observed in the Car-  
riage of Business by his Highness and my Lord Duke  
at their being here; who, though they insisted upon  
the Busines: of the Palatinate, yet they held it fit to  
treat of them distinctly; and that the Marriage  
should proceed as a good Pawn for the other.

Since their Departure, my Lord Ambassador, Sir  
Walter Aston, and myself, have much pressed to  
have this King's Resolution in Writing concerning the  
Palatinate; and the Dispatches which your Majesty  
will receive herewith, concerning that Busines:, were  
written before the Receipt of your Majesty's Letters:  
And, doubtless, it is now a great Part of their Care,  
that that Busines: may be well ended, before the In-  
fanta's coming to England: And his Highness will  
well remember, that the Conde d'Olivates often pro-  
tested the Necessity of having this Busines: compoun-  
ded and settled before the Marriage; saying, other-  
wise they might give a Daughter and a War  
within three Months after, if this Ground and Sub-  
iect of Quarrel should still be left on Foot. The  
same Language he hath ever held with Sir Walter  
Aston and myself, and that it was a firm Peace  
and Amity, as much as any Alliance, which they  
sought w th his Majesty. So that it is not to be  
doubted but the King, concluding the Match, resolu-  
eth to employ his utmost Power for your Satisfaction,  
in the Restraint of the Prince Palatine. The Que-  
stion now will be, Whether the Busines: of the Prince  
Palatine, having Relation to many great Princes that  
are interested therein, living at great Distance, and  
being, for the Condition and Nature of the Busi-  
ness itself, impossible to be ended but by a formal  
Treaty, which of Necessity will require great Length  
of Time; the Conclusion of the Match shall any Way  
depend

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depend on the Issue of that Business? Which I conceive to be far from your Majesty's Intention; for so the Prince might be kept unbestowed, by the Averseness of those that might have particular Interest in the Prince his remaining unmarried, or Dislike of his matching with Spain. But this which I understand to be your Majesty's Aim, is only to have the Conclusion of his Match accompanied with as strong an Engagement as can be procured from the King, for the joining with your Majesty, not only in all the good Offices for the entire Restitution of the Palatinate, but otherwise, if Need require, of his Majesty's Assistance herein. I have these many Days past laboured with all Earnestness, and procured the King's public Answer; which, I am told, is resolved of, and I shall, within these few Days, have it to send to your Majesty; as likewise a private Proposition, which will be put in your Hands: And shall not fail further to pursue your Majesty's present Directions, of procuring the King's Declaration, in what Sort your Majesty may rely on the King's Assistance, in case the Emperor or the Duke of Bavaria shall oppose the entire Restitution of the Prince Palatine. But, I conceive, if it be your Majesty's Intention that I should procure here, first, this King's peremptory Answer in the whole Business, and how he will be assistant unto your Majesty, in case of the Emperor's or the Duke of Bavaria's Averseness; and that I should send it to your Majesty, and receive again your Answer, before I de'ruer the Powers for the Desponsaries; the Match woud thereby, if not be hazarded, yet, I conceive, the Infanta's going at Spring would be rendered al't get'e imp'ssible; for, upon Arrival of the Pope's Approbation, I cannot refuse them but upon some Ground. If I alledge your Majesty's Desire of having the Desponsaries deferr'd untill Christmas, they know as well as myself that his Highness's Proxy is then out of Date, besides the infringing of the Capitu' tions; and they will judge it as a great Scorn put upon this King, who, (ever since the Prince his granting of his Powers) hath call'd himself the Infanta's Desponsada; and, to that effect, the Prince hath

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An. 21. James I. 1623. hath writ unto him in some of his Letters. Besides, it will be held a Point of great Dishonour unto the Infanta, if the Powers call'd for by her Friends shoud be detain'd by the Prince his Part ; and whoever else may have deserv'd ill, she certainly hath neither deserv'd Disrespect nor Discomfort. Further, upon my Refusal to deliver the Powers, all Preparations, which now go on chearfully and a-pace, will be stay'd ; and there will enter in so much Distrust, and so many Jealousies, that if the main Business run not Hazard by them, at least much Time will be spent to clear them.

I must therefore, in Discharge of my Duty, tell your Majesty, That all your Majesty's Busines here is in a fair Way ; the Match and all that is capitulated therein they profes, punctually to perform.

In the Business of the Palatinate, they protest, they infinitely desire, and will, to the utmost of their Powers, endeavour to procure your Majesty Satisfaction.

The Prince is like to have a most virtuous and worthy Lady, and who much loveth him ; and all Things else, depending upon this Match, are in good and hopeful Ways.

This is now the present Estate of your Majesty's Affairs, as it appeareth to me and to Sir Walter Aston ; with whom I have communicated this Dispatch, as I do all Things else concerning your Majesty's Service. And I must clearly let your Majesty understand, That, I conceive, by retaining the Powers when this King shall call for them, and offering to defer the Desponsaries untill Christmas, that your Majesty's Business will run a great Hazard ; what by the Distastes and Disgusts that will be raised here, and what by the Art and Industry of those which are Enemies to the Match, whereof every Court of Christendom hath Plenty.

That therefore which I presume, with all Humility, to offer to your Majesty is, That you would be pleased to give me Order, with all possible Speed, that when the Business shall come clear'd from Rome ; and that the Powers of the Marriage shall be demanded of me in behalf of this King ; that I may deliver

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deliver them, and no ways seek to interrupt or su-  
An. 21. James I.  
spend the Despousaries, but assist and help to a perfect  
Conclusion of the Match.

And that for the Business of the Palatinate, I  
continue my earnest and faithful Endeavours to engage  
this King, as far as shall be possible, both for the  
doing all good Offices for the Palatine's entire Resti-  
tution, as likewise, for this King's Declaration of As-  
sistance, in case the Emperor or the Duke of Bavaria  
shall oppose the said Restitution: Herein I will not  
fail to use all possible Means; and, I conceive, the  
Dispatch of the Match will be a good Pawn in the  
Business; and the Help and Assistance which this  
Court (the Princess being once betrothed) would be able  
to give to all your Majesty's Business, would be of  
good Consideration. So, fearing I have already pre-  
sum'd too far on your Majesty's Patience, I humbly  
crave Leave of your Majesty's Pardon, and recom-  
mend you to the holy Protection of God, resting

Madrid, 24 Oct. 1623. Your Majesty's

most humble, and faithful  
Subject and Servant,

B R I S T O L:

The Earl of B R I S T O L to his Majesty.

May it please your Majesty,

I Find, upon the News that is now come from the  
Duke of Pastrana, that the Pope has clearly pas-  
sed the Dispensation, which is now hourly expected  
here. There is an Intention to call presently upon me  
for the Prince's Powers for the Marriage left in my  
Hands, the which I know not upon what Ground or  
Reason to detain; the Prince having engaged, in the  
said Power, the Faith and Word of a Prince, noway to  
revoke or retract them, but that they should remain  
in full Force until Christmas; and delivered unto me,  
with private Instruction of his Pleasure that upon the  
Coming of the same, I should deliver them unto the  
Lords, that might be put in due Execution.  
And it ey likewise was there, by Secretary Serica,

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An. 1st. James I. as a Public Notary, an Instrument drawn, attested by  
1623. all the Witnesses present.

If I shall alledge your Majesty's Pleasure, of having the Marriage deferred untill one of the Christmas Holydays; altho' they shoud condescend thereto, that is impossible, for the Powers wil then be expired. If I shall insist upon the Restitution of the Palatinate, this King hath therein declared his Answer; and it will be much wondered at, why that should be now added for a Condition of the Marriage, having ever hitherto been treated as a Business apart, and was in being at the granting of the sa'd Powers, and hath been often under Debate, but never specified, nor the Powers delivered upon Condition of having any such Point first clear'd. And I must confess unto your Majesty, I understand not how, with Honour and that exact Dealing which hath been ever observed in all your Majesty's Actions, the Powers can be detained, unless there should appear some new emergent Cause since the granting of them; whereof, as yet, I hear none specified. I being, therefore, loth to be the Instrument, by whose Hands any Thing should pass that might leave the least Reflection upon your Majesty's or the Prince's Honour, which I shall ever more value than my own Life or Safety; and, judging it likewise to conduce more to your Service, and assuring myself that your Majesty's late Direction, to have the Marriage upon one of the Holydays in Christmas, was for want of due Information, that the Powers would then be expired: I have thought fit, with the Advice of Sir Walter Aston, to raise no Scruple in the Delivery of the said Powers; but do intend, when they shall be required, to pass on to the Nomination of a prefix'd Day for the Desponsaries; tho' I shall endeavour to defer the Time untill I may be advertised of your Majesty's Pleasure, if it may be within the Space of twenty-four Days; and will labour to find some handsome and fair Occasion for the deferring of them, without alledging any Directions of that Kind from your Majesty or the Prince.

The Reasons why I have thought it fit to take this Resolution are:

First,

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First, I Find by your Majesty's Letters, and the <sup>Ad. 21. June.</sup> Prince's, that your Intent is to proceed in the Marriage; and to that Purpose your Majesty and the Prince have set me free to deliver the Powers, according to the first Intentions, by removing that Scruple of the Infanta's entering into a religious Order whereupon they were only suspended.

Secondly, Your Majesty's Letter intimateth only a Desire, not a Direction, of having the Marriage upon one of the Holydays in Christmas; which, I conceive, is to be understood, if it may well and fittingly be so; not, if there shall be an Impossibility therein, by reason of the expiring of the Powers before, and that the Intention of having it then should be overthrown thereby; when I am confident that what your Majesty writeth, is for want of due Information of the Clause of Expiration of the Powers.

Thirdly, If your Majesty, upon these Reasons, and such as I have formerly alledged unto your Majesty, should, as I no way doubt but your Majesty will, give me Order for the present proceeding to the Marriage; yet, upon my refusing the Powers, and alledging your Majesty's or the Prince's Directions, (altho' afterwards all Things should be clear'd) it would cast some Kind of Asperion and Jealousy upon the Sincerity of your Majesty's or the Prince's Proceedings: On the contrary Side, if your Majesty's Intentions be not to proceed in the Match, whereof I see no Ground, the Intimation of that may be as well a Month hence as now: And I judge it a Duty in a Servant, especially in a Business of so high Consequence, and wherein your Majesty hath spent so much Time, to give his Master Leisure to repair unto his second Cogitations before he do any Order that may overthrow it.

This I offer, with all Humility, unto your Majesty's wise and just Consideration; and beseech you to make Interpretation of my Proceedings herein, according to my dutiful and zealous Care of your Honour and Service.

I have of purpose dispatched th's Post with this Letter, to the end I may receive your Majesty's Directions,

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A. 21. James I. reflets, in this Particular, with all possible Speed ;  
1623. which I hope shall be to proceed directly to the Marriage, according to the Capitulations ; and so to order all Things for the Princess's Journey in the Spring. And, for the Palatinate, your Majesty may be confident there shall be all Diligence used in procuring a speedy and good Resolution. So, &c.

Madrid, Nov. 1. O. S. 1623.

‘ Now, from this rash fixing of the Day of the Desponsaries in Spain, which was controlled again by an Express from hence, an unnecessary Discourtesy was put upon that King, and, in a Manner, wantonly, by the Earl of Bristol ; from that proceeded a greater Affront put upon the Prince, the taking away the Title of *La Princesa* from the Infanta ; and the debarring of our Ambassadors from any further Accels unto her Person, as her Servants and Attendants : And, with these, the greatest Discourtesy of all put upon the King our Master, that when they return’d unto us a poor, lean, and meagre Dispatch concerning the Restoration of the Palatinate, yet the Earl of Bristol accompanied it with this Item, That they were fain to antedate the Paper for their Honour’s Sake ; or else, if they had taken Notice of the Stay of the Desponsaries, they had sent it ten Times worse. You will not believe his Lordship when you have read it.’

### The King of SPAIN’S ANSWER, of the 6th of December, 1623, to the AMBASSADOR’S MEMORIAL, touching the Business of the PALATINATE.

**T**HAT which his Catholic Majesty hath commanded I should be given in answer to the third Memorial, which the Earl of Bristol and Sir Walter Aston, Ambassadors Extraordinary and Ordinary to his Majesty the King of Great Britain, delivered unto h.m, touching the Business of the Palatinate, is,

That

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That his Majesty hath seen the third Memorial  
which they delivered, touching the Business of the  
Palatinate, and that the Answers which he hath of  
late commanded should be given unto the rest, which  
they have delivered in that Busines, presuppos'd, as it  
seemed to him, that there can be nothing else in answer  
to that which they now present; since the Answer  
therein required is not necessary untill all that is there  
propounied on the Behalf of the Count Palatine hath  
first taken Effect; and that he hath endeavoured to  
give the Emperor Satisfaction, by the Demonstrations  
and Satisfactions therein mentioned; for that it were  
Injustice in his Catholic Majesty to shew any Distrust  
that the Emperor's Uncle should not use his Mercy and  
Clemency, and give the King's Majesty of Great Bri-  
tain all possible Satisfaction, in case the Count Pala-  
tine perform'd such Acts of Submission and Assurance,  
as in the said Memorial are propounded, especially be-  
ing accompanied with the Favour and Intercession of  
his Majesty, which is and ever shall be interposed for  
the effecting of it; and that, in doing otherwise, his  
Majesty should lose the Power which he hath as an Ar-  
bitrator and Mediator in this Business, in accommo-  
dating it to the Content and Satisfaction of his Ma-  
jesty the King of Great Britain, as he much desirereth  
and shall endeavour; and to doubt of the effecting of it  
so, seemeth to his Majesty, were to injure the Emperor,  
considering their Amity and good Correspondence, and  
the confident Assurance he hath of h's Intercession with  
him: And is likewise of Opinion, that, to the end the  
good Offices which his Majesty shal do in this Busi-  
ness may take the good Effect which he wisheth, and  
that the King of Great Britain may receive all Sa-  
tisfaction, it is fit that his Catholic Majesty should  
not make himself a formal Party in it, as it is pres-  
sed by the Ambassadors.

Madrid, Dec. 6. 1623.

‘ Here the Prince observed, That whereas the  
King of Spain saith in this Paper, that he hath no  
Power over the Emperor, yet in other Treaties he  
took upon him to have much Power over h.m; so that  
his

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An. 21. James I. his Highness said, He verily believed he had, and  
1621. had not, Power at his Pleasure.'

' Well, for all that Bravado and Menace upon their former Dispatch, they have taken their Pen in Hand again, and have sent to his Majesty a Project of a Letter ; the which, if his Majesty shall make an Invitation to that Effect, shall be sent unto his Majesty from the King of Spain ; and the Letter is the *Hercules Pillars*, and the *nihil ultra* in all this Negotiation of the Palatinate.

Don JUAN de SERICA's LETTER, sent with the King of SPAIN's ANSWER of the 5th of January, 1624, N. S. touching the PALATINATE.

FOR the Estimation which his Majesty maketh of your Lordship and Sir Walter Aston, and for the Desire he bath to satisfy the Instances you have made, that he would write unto the King of Great Britain in the Busines of the Prince Palatine, he bath condescended thereunto ; but this shall be done when you shall bring any Letters from the King of Great Britain touching the said Business ; and hath, in the mean Time, commanded me to send you this Copy, which is the Answer which bis Majesty commandeth to be given to that which was last propounded by you in that Business ; and that when you shall bring the said Letter from the said King, then the Original of the King my Master shall be delivered unto you with a great Desire of giving full Satisfaction. God preserve your Lordship, &c.

JUAN de SERICA.

The KING's ANSWER abovementioned.

HAVING given Answer to your Majesty's Ambassadors, and to such Memorials as they have hitherto delivered unto me, touching the accommodating the Busines of the Prince Palatine ; and having made known my Desire and Intention herem, they have again of late, with much Earnestness, solicited me in the three Points following :

The

The first, That I should do all good Offices of Medi-  
ation with the Emperor, to the end he may yield unto  
the Prince Palatine the entire Restitution of his Pos-  
sessions and Dignities.

The second, That a limited Time be appointed for  
the negotiating, by way of Mediation..

The third, That I should, forthwith, declare myself,  
that the said Mediation not taking Effect within the  
Time limited, I would employ my Arms against the Em-  
peror.

Touching the first, your Majesty may rest assured,  
that I am ready, really and effectually, to assist your  
Majesty with the best Offices I shall be able, to the end  
you may receive entire Satisfaction, the Prince Pala-  
tine performing the due Submissions, and what else is  
required, or hath been said in my former Answer,  
touching the Alliance and Security on his Part : and  
that I will continue the said good Offices untill the fi-  
nal Conclusion of the Business.

As for the second Point, I am well contented that  
there be a limited Time appointed, how long the Offices  
of Mediation are to endure; but since the business  
cannot, without a formal Treaty, which cannot be but  
in these Parts, your Majesty (taking such Term of  
Time as shall be requisite for so great and difficult a  
Business) may agree on it there, either with the In-  
fanta my Aunt, or with my Ambassadors, and I do,  
from Time to Time, approve thereof; and so your  
Majesty may give Order that, without Loss of any  
further Time, the Treaty begin for the accommodating  
the Business; wherein your Majesty may likewise  
make such Propositions for the satisfying the Duke of  
Bavaria as shall seem fitting.

Concerning the third Part, wherein I am intreated,  
in your Majesty's Name, by your Ambassadors, That  
I woud forthwith declare myself, that in case the Me-  
diation take no Effect, I would employ my Arms against  
the Emperor, altho' I am most certain and confident,  
that, by your Majesty's and my Intercession, toge-  
ther with the Submission of the Prince Palatine, and  
the Performance of what else shall be necessary, as is  
above said, the Emperor, my Uncle, will, without all  
doubt

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An. 21. James I. 1623. doubt, shew his Clemency, and give your Majesty entire Satisfaction ; yet, the making of such a Declaration, besides that it were to bereave me of the Power as Arbitrator and Mediator in the Business by making myself a formal Party, it were likewise to give just Occasion of Offence to the Emperor, my Uncle, and to fail in that due Respect which is fitting I should shew towards him, if I should accompany the Office of a Mediation with Menaces of Arms ; but your Majesty may be confident that I will procure, by all Means possible with the Emperor, that this Business may be effected to your Majesty's full Satisfaction ; without drawing my Hand from it, untill that which your Majesty desireth be accomplished.

' This Letter his Majesty hath already scanned to a Syllable, and supposing some Virtue might be extracted from that Phrase, *Alzar la Mano*, and the King will not take his Hand from off the Business untill our Master shall receive Satisfaction ; his Majesty sent to the Spanish Ambassadors, Men of great Understanding and Quality, for a Key or a Comment to open the same : And, behold, this is all they return back to his Majesty, nor take off his Hand, i. e. He will employ, without Intermision, his best Offices to procure a Satisfaction to his Majesty : And hitherto that Hand of Mediation hath prov'd but an unlucky Hand in all this Business.'

' Here the Lord-Keeper related somewhat that was delivered by Don Serica to the Earl of *Bristol*, at the same Instant with this Project of the Letter ; as Mr. Clark, who was then present, hath told the Duke of *Buckingham* ; viz.

' That whereas the King of *Spain* had found his Error in going on so fast with the Treaty of the Match, before he had clear'd the Treaty of the Restitution of the *Palatinate* ; he is now resolv'd, to invert his Method, and to perfect the Treaty of the Restitution of the *Palatinate*, before he will proceed any further in that of the Marriage.'

' So

‘ So the two Treaties, as they move in Spain, An. 21. James I.  
are now quit one with the other; as formerly the 1603.  
Treaty of the Marriage did justle out the Treaty  
of the Palatinate, so now the Treaty of the Pa-  
latinate hath quite excluded the Treaty of the  
Marriage.’

‘ And here my Lord Duke acquainting us, as  
Admiral, with an Advertisement he had received of  
the Fleet prepared in Spain, the Arrest of some of  
our Ships, and the coming over of *Padre Majstro*,  
made an End of the *first Part* of the NARRA-  
TIVE; which contain’d the *subsequent Proceedings*  
*of his Majesty*, by a select Committee of Counse-  
lors, in both these Treaties, since the Return of  
his Highness from Spain.’

VI. The STATING of the QUESTION *super*  
*totam Materiam.*

This Question the Duke states after this Manner:

‘ My Lords and Gentlemen all, Your speedy  
and faithful Advice concerning this last Dupatch,  
which impieth, in the Word *Alliances*, the Edu-  
cation of the Prince Palatine’s Son in the Em-  
peror’s Court; and promiseth no Assistance by  
Arms to recover the Palatinate; is, That his Ma-  
jesty expecteth from both the Houses, at this Time,  
Whether this Project of a Letter, being the full  
Effect and Produce of all the Negotiations which I  
have open’d to you, be sufficient, *super totam Ma-*  
*teriam*, for his Majesty to rely upon with any  
Safety, as well for his Marriage of his only Son  
as for the Relief of his only Daughter; or, these  
Treaties let alone, his Majesty were best to trust to his  
own Strength and to stand upon his own Feet?’

‘ And so his Grace ended with this Conclusion,  
That if bringing us from Darknes to Light did  
deserve any Thanks, we owe it, and must atcribe  
it, to the Prince his Highness.’

After the Lord-Keeper had finished this long  
Report, the Duke of Buckingham stood up and  
E 2                   acquainted

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AN. 21. James I. 1623. acquainted their Lordships, ' That Complaint was made against him for deliveting somewhat, in his *Narration*, which did so highly touch the King of Spain in his Honour, that if the like had been uttered by any Subject of that King against his Majesty, it could not be otherwise expiated but with the Loss of his Head that spoke it. Wherefore, the Duke desired their Lordships to take into Consideration, whether he could have justified the leaving out any of the Particulars in the *Narration*?'

The Lords, in general, did commend the fair Proceeding of the Duke therein, and agreed, ' That, as his Grace deserved all their Thanks for the same, so he had done ill if he had concealed any Part of it. That their Lordships did conceive that it was an Asperion laid upon their House by this Complaint; because it concerns their Lordships not to suffer any Thing to be publickly spoken, in their Hearing, in Dishonour of so great a Prince in Amity with his Majesty. And, they conceive that nothing then delivered did concern that King particularly, but were the Acts of his Officers and Ministers only.'

But, for the full clearing of his Grace in this Matter, the Lord-Keeper, by general Consent, put it 'o the Question, ' That the Duke did deliver nothing, in his said *Narration*, but what was fit to him to do, and what the Matter led him unto; which was unanimously agreed to. And their Lordships also agreed to satisfy his Majesty herein by a Committee of their whole House; and the Prince was desired to intamate this their Request to the King, and to let them know when his Majesty woul. be pleased to admit them to his Presence. The Lord Keeper to be their Speaker.'

Then the House was moved to take into their Consideration, how the Spanish Ambassador came to this Knowledge: But the Duke requested their Lordships to desist from that Enquiry; for that he only desired his own Justification, and no Revenge.

But,

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But the Lords were still more active in this Matter, and sent a Message to the Commons to this Effect:

‘ Whereas their Lordships are informed that Complaint hath been made to his Majesty, by the Spanish Ambassador, That the Duke of *Buckingham*, in his *Narration* to both Houses, had so highly touched the Honour of the King of *Spain*, that it could not be expiated but by his Head: Their Lordships, taking this into their Consideration, do find this Complaint to fasten an Aspersion upon themselves also; and have, by general Vote of their House, acquitted his Grace thereof; and have determined, by a Committee of their whole House, to satisfy his Majesty therein: And, to the end that their Lordships may ever, according to their Desire, hold good Correspondence with their House, they have thought fit to signify it unto them.’ But, the Messengers staying long, the Lords agreed to adjourn to the Afternoon.

At which Time they received the following Answer to their Message from the Commons:

‘ That their House had considered of the Message and do find the Complaint to asperse them also. They have acquitted the Duke of *Buckingham* of any Thing which he said, touching the Honour of the King of *Spain*. They attribute much Honour to the Duke for his *Narration*, and give his Grace Thanks for the same; and they render like Thanks to their Lordships for this their good Correspondency.’

To the end the Lords might truly state the Question upon the great Affair they were to advise the King about, they required to have the foregoing Letters from *Spain* read unto them again. After which the Attorney General read the following Letters from the Earl of *Bristol*.

May it please your Most Excellent Majesty,  
I Received your Majesty’s Letters of the 9th of September and the 23d of the same Month, and by them understand that your Majesty hath received

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AN. 21. James I. much Satisfaction from what I had formerly written  
1623. to your Majesty, both concerning the Restitution of  
the Prince Palatine; as likewise, of this King's Re-  
solution to proceed to the Conclusion of the Match;  
but that your Majesty findeth the Effects very unsuit-  
able both by the Proceedings at Brussels and in the  
Palatinate; as also, by what you understand from  
Rome, by Mr. Gage, of the Pope's Demands. I  
hope, by the Arrival of Mr. Cottington, your Ma-  
jesty will have received Satisfaction, in some Mea-  
sure at the least, that there hath been no Time or  
Diligence omitted, either for the redressing of any  
Thing that hath been amiss, or for the advancing of  
your Majesty's Affairs.

The very Day I received your Majesty's Letters,  
I sent a Gentleman Post to the King, (who was gone to  
the Ecurial) to crave Leave to attend him, which he  
presently granted me; and I repaired thither to him  
upon the 3d of October, the Conde de Gondamore  
being likewise commanded to wait upon the King. I  
was there well received; and presently upon my Ar-  
rival, the Conde d'Olivares came to me to the Lodg-  
ings which were appointed for me to rest in; to him  
I deliver'd fully, in the Presence of Sir Walter Aston  
and the Conde de Gondimore, what I had to nego-  
tiate with the King, both in the Business of the  
Match and of the Palatinate.

In the Match, I represented how much it import-  
ed your Majestie, that a speedy Resolution might be  
taken therein; both in regard of the Prince, being  
your Majestie's only Son, now arriv'd to the Age of  
twenty two Years, and for the settling your Affairs  
in England: I repeated to him all the Passages in  
this Treaty; how many Years had been already spent  
in it, and that after so long an Expectation, the  
Diligence used in Rome, w<sup>t</sup> obtaining the Dispensa-  
tion, had wrought but small Effect, since the Pope  
would not make such Demands as were altogether im-  
possible for your Majestie to consider unto; and  
therefore, your Viceroy seeing the Business thus de-  
lay'd, held it fit that since such Course might be  
taken, that your Majestie might speedily know what  
you

you have to trust unto; and therefore had command- An. 21. James I.  
ed me to signify unto this King, your utmost Resolu- 1623.  
tion, how far you could condescend, in Point of Re-  
ligion, towards what the Pope demanded. And if  
berewith this King could be satisfied, your Majesty  
desired that we might proceed to a final and speedy  
Conclusion; otherwise, that the King likewise would  
clearly declare himself, that your Majesty might lose  
no more Time in the disposing of the Prince your Son.  
Hereunto the Conde d'Olivares answered with some  
Length, the Substance whereof I shall only presume  
to set down to your Majesty.

He profess'd a sincere Intention and Resolution in  
this King to make the Match, and that there should  
not be one Day lost; for that the speedy Dispatch  
thereof importeth them as much as your Majesty; and  
to the end no Time should be lost, this King had, the  
Day after the Death of Don Baltazar de Zuniga,  
appointed Don Ferdinando de Gyron in his Place,  
in his Commission. That for the going of Mr. Gage  
from Rome, and the Pope's Demands, they were  
absolutely ignorant of them; that the King had done  
all that I myself desired for the Redress of this Er-  
ror; that I might assure your Majesty that you should  
find here all Sincerity and clear Proceeding, and  
without an Hours Delay more than, of Necessity, the  
Nature of the Business required.

As for the Business of the Palatinate, I represent-  
ed at large, the Merit of your Majesty's Proceedings  
and the many Promises made from hence; yet, notwith-  
standing, whilst your Majesty was treating at Brus-  
sels, Heidlebergh, one of the three Places, which  
were only left, and where your Majesty had Garri-  
sons, was besieg'd by the Archduke Leopold and  
Monsieur Tilly: That this King hath withdrawn  
his Forces, and so exposed the Palatinate absolutely to  
the Emperor and the Duke of Bavaria. The Conde  
d'Olivares answered me, by acknowledg'ing how much  
your Majesty's Proceedings had deserv'd at the Em-  
peror's and this King's Hands; that whatsoever your  
Majesty could expect, or had been at any Time promi-  
sed, shoud by this King be real'y perform'd.

That

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AN. 31. James I.  
1623. That the Prince Palatine's own Course hitherto,  
had been the only Hindrance of the effecting of it.

That he referred it to your Majest: own just  
Judgment, whether the r.ing of his King's Forces  
out of the Palatinate were with any intention, or  
merely for the Defence of Flanders; which, other-  
wise, had been put in great Hazard by Count  
Mansfield, as your Majesty saw by what had really  
pass'd: That the Siege of Heidelberg was no way by  
the Consent or Knowledge of the King, or any of his  
Ministers, but was generally disapprov'd by them  
all.

I told him, I conceived that was nothing; for  
that your Majesty had engag'd yourself to this King,  
That in case your Son-in-Law would not conform  
himself, you would not only forsake him, but declare  
yourself against him, and give the Emperor Assist-  
ance for the reducing of him to Reason; and that  
your Majesty could not but expect a like reciprocal  
Proceeding from this King his Master. He answer'd,  
Your Majesty should see this King's Sincerity by the  
Effects, and that if Heidelberg should be taken,  
and the Emperor refuse to restore it, or condescend to  
such an Accommodation as should be held reasonable,  
this King would infallibly assist your Majesty with his  
Forces. And this he spake with great Assurance,  
and wsb'd me to desire your Majesty to be confident,  
you would find nothing but real and sincere Pro-  
ceedings from hence. I was then presently called for  
to the King, to whom I spoke, first, in the Business  
of the Match, and delivered him the Contents there-  
of in Writing; which I have sent to Mr. Secretary.  
I received from him the same Answer, in effect, as  
from the Conde d'Orvates, That he desired the  
Match no less than your Majest: that, on his Part,  
there should be no Time lost from the Beginning of it  
to a speedy Conclusion. In the Business of the Pal-  
atinate, I spoke unto the King with some Length, re-  
peating many Particulars of your Majest: Proceed-  
ings, and how much your Honour was like to suffer:  
That now, whilst you were treating, Heidelberg,

de-

defended by your Garrison, was like to be taken. An. 21. James I.  
 The King answer'd me, He would effectually labour  
 that your Majesty should have entire Satisfaction;  
 and rather than your Majesty should fail thereof,  
 he would employ his Arms to effect it for you. My  
 Lord Ambassador, Sir Walter Aston, accompanied  
 me at my Audience, and was a Witness of all that  
 pass'd, as well with the King, as with the Conde  
 d'Olivares. Within few Days after the News of  
 the taking of Heidelberg came hither; whereupon I  
 dispatched again to the King, in such sort as I have  
 at large advertised to Mr. Secretary Calvert. The  
 Effect of my Negotiation was, That they, on the 13th  
 of October, dispatch'd Letters away to the Infanta,  
 to stop the Emperor's and the Duke of Bavaria's  
 Proceedings; but pressing them further, in regard  
 their former Letters have wrought so little Effect,  
 they have given me a second Dispatch, which I  
 have sent to the Infanta, and whereof Mr. Secre-  
 tary will give your Majesty an Account; which, I  
 conceive, will procure your Majesty better Satisfa-  
 tion than hitherto you have received from the Em-  
 peror and his Party.

For the Business of the Match, I have written to  
 Mr. Secretary what is to be said at present, and will  
 only add, That as I should not willingly give your  
 Majesty Hopes upon uncertain Grounds, so I would  
 not conceal what they profess; which is, That they  
 will give your Majesty real and speedy Satisfaction  
 therein; and if they intend not, they are falser than  
 all the Devils in Hell, for deeper Oaths and Protes-  
 tations of Sincerity cannot be made.

It will only remain that I humbly cast myself at  
 your Majesty's Feet, with that Addition of Title where-  
 with it hath pleased you to honour me and my Poste-  
 rity. My Gratitude and Thankfulness wanteth Ex-  
 pression, and shall only say to your Majesty, That as  
 all I have, either of Fortune or Honour, I hold it  
 merely of your Bounty and Goodness, so shall I ever  
 cheerfully lay them down, with my Life into the Bar-  
 gain, for the Service of your Majesty and yours. So  
 with

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AN. 22. James I. with my humblest Prayers for the Health and Prof-  
1622. perity of your Majesty, I humbly recommend your  
Majesty to God's holy Protection, and rest,  
Madrid, 21 Oct. } Your Majesty's  
1623. } most humble, and faithful  
Subject and Servant,  
B R I S T O L.

These Letters being read, the Lords adjourned,  
*ad Libitum*, to debate what they should advise the  
King to do in this Business. And, because his Ma-  
jesty had required to have the Advice of bo h Hou-  
ses, they thought it not fit to proceed further in  
it at that Time; but to have a Conference with the  
Commons, and to consider, first, What to propose  
to them at their next Meeting.

February 28 The Affair was again resumed re-  
lating to the *Match* with *Spain* and the Recovery of  
the *Palatinate*; and though the Lords generally  
agreed, ' That they cannot advise about one with-  
out the other; and, also, that they had so far de-  
clared themselves here, that it is not safe for the  
King to continue the Treaty on either, nor ex-  
cept the Restitution of the *Palatinate*, by any other  
Means than the Sword; yet, their Lordships do still  
think it not fit to deliver their single Advice, but  
first to consult the Commons; and when the two  
Houses have agreed thereon, then to deliver the  
same jointly to his Majesty.'

After which a long Debate arose, what to pro-  
pose to the Commons; and, at last it was resolved,  
That there was no Necessity to treat of the *Match*  
and the *Palatinate* together. Also, their Lordships  
were of Opinion, That his Majesty rely not upon  
any further Treaties; except they shall hear from  
the Commons better Reasons for it at the Confe-  
rence. And a Committee was appointed, of which  
the Duke was the Chief, to search for Precedents of  
former Treaties and Supplies to the King in Matters  
of this Kind. Also, the King's Servants were to  
bring them all such Papers and Dispatches, out of  
*Spain*, as they should require.

March

*March 1.* The Lords were put in Mind of their last Message to the Commons, touching the Duke of *Buckingham*; and they thought good to explain themselves, by another Message, on their Resolution to give the King Satisfaction that the Duke is cleared and acquitted, by them, of that which the *Spanish* Ambassador complained of. Therefore, a Message was sent to the Lower House, to express their Lordships Doubt that their Meaning was not fully understood; for that they do think it most proper, as the *Narration* was made to both Houses, so both to join, if they so please, in their Justification of it to his Majesty.

After some Time, the Commons sent an Answer to the Message, That they were desirous to confer with their Lordships about it, by a Committee of both Houses; the Time and Place was left to their Lordships Option. The Lords appointed the *Painted-Chamber*, and the Time to be presently. Accordingly, the same Day, the Archbishop of *Canterbury* made the following Report of this Conference to the whole House.

' That they had conferred with the Commons, about this Complaint of the *Spanish* Ambassador against the Duke for his *Narration*; and that the Commons were so much of one Mind with them, as if both Houses were Twins. That they highly approved of what the Duke had done; and that he delivered nothing in his laid *Narration*, but what he was led unto by the Matter itself; wherein his Grace was so far from transgressing, that he deserved Thanks and Honour: That they were desirous to join with their Lordships, by a Committee of their whole House, to signify as much unto his Majesty. And adued, How sensible they were that any unworthy Person should relate their Secrets abroad, and desired that, whoever it was, he might be discovered, if possible (*m*).'

In the further Proceedings of this Day, the Duke of *Buckingham* put the Lords in mind of the *Grand Affair*; and that a speedy Resolution was

very

(*m*) See more of this in the 24th of this Month.

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An. 22. James I very necessary in it, because Time was precious,  
1623. which the Enemy would not pretermit; and, if

A Committee appointed to view the Stores, Arms, Munition, &c. of the Kingdom. they should lose the Benefit of the Spring, it would be irrecoverable: Therefore his Grace moved the House, That a Committee should be appointed to inspect into the Stores of Munition, and to make such Provision for a Supply thereof as they should think fit. Accordingly, a Committee was then

appointed, to take a View of the Magazines, Stores, Arms, and Munition; to consider about the Transportation of Ordnance; of the Forts of the Land, and the Weakness thereof; of *Ireland*, and of all other Things incident to these; to present their Opinions to the House of what Defects they find, and the Means to redress the same.

March 2. After an Adjournment of the House, *ad Libitum*, the Attorney General read another Letter to the King from the Lord *Digby*, afterwards Earl of *Bristol*, in these Words:

### LORD DIGBY's LETTER to the KING.

Most Gracious Sovereign,

*IT* may please your Majesty to remember, That, at my coming out of Spain, I signified unto your Majesty, how far the Duke of Lerma had, upon several Occasions, intimated unto me an extraordinary Desire of this King and State for not only an intimate Peace and Amity with your Majesty but to lay hold of all Means that might be offered, for the nearer Uniting of your Majesties and your Crowns: And, from this Generosity, he had descended often to have Discourse with me of a Match with the Prince his Highness with the second Daughter of Spain; assuring me, that, in this King and his Ministers, there was a very forward Disposition thereunto. But from me he received no other Answer, but to this Effect: That in the Treaty of the former Match for the late Prince, I had received so strange and unexpetted Answer from them, and that their Demands had seem'd so improper and unworthy, that, I conceived, your Majesty had little Reason to be induc'd again to give Ear to any such Overture, or that I should enter

## Of ENGLAND. 77

ter again into any such Treaty, much less to be the Motioner thereof; altho' I would confess, that if I were fully perswaded of the Sincerity of their Intentions, and of a Possibility of having the said Match effectied, I know not any thing wherein I would more willingly employ my Endeavours; but, as the Case now stood, I was certain, that if I should but make any such Motion in England, I should but draw an Imputation of much Weaknes upon myself, and no whit advance the Cause, for that your Majesty and your Ministers wou'd make no other Construction of that Motion, but that it was only to abuse your Majesty, and to divert the Match of France, which was then treated of. For that your Majesty, who, but the Year before, had received so unpleasing and unequal an Answer, should now be perswaded that there was here so great a Change as that a Match was really desired, there would now need more than ordinary Assurance. — But the Duke of Lerma, continuing several Times in the same Profession, and telling me besides, That the greatest Case mght be altered by Circumstances, and that the Age of this Prince was much more proper than that of his Brother, I freely let the Duke know, that in case I might be fully assured that such a Match was really desired here, and be able to propound unto my Master Conditions of so much Advantage, as might certainly put him and his Ministers out of doubt that this Overture was not again derived from hence, either for Diversion or winning of Time, I woud then willingly intimate unto your Majesty the Inclination and Desire I found here, of having a Proposition for this Match once again set on foot. The Duke told me, That he would have further Conference with me; and that he no ways doubted but then to give such Satisfaction as might well assure both your Majesty and your Ministers, that they sincerely desired the Match in general, and would omit nothing on their Side for accomodating every Particular that might give Furtherance unto it. But, the very Night before the Duke had appointed a Meeting with me, there came a Post dispatch'd out of England from the Spanish

Ame-

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An. 22. James I. 1623. Ambassador, upon the Arrival of Sir Thomas Edmonds in England, who brought Word that a Match with France was absolutely concluded, and that within a few Days it was to be published; whereupon the Duke, at our Meeting the next Morning, told me that it would be needless now to descend to any Particulars in the Business whereof we were to treat; since they had now received Advertisement that the Match with France was fully concluded. And thus far that present Matter rested some five or six Weeks after, about which Time I was to go into England; and so taking Leave of the Duke, he ask'd me, Whether I had not receiv'd Advertisement that the Match with France was not published? I told him no, but that I had certainly heard, that it was not yet fully concluded: Whereupon he entreated me, that, in case I found not the French Match in such Forwardness as it could not be stay'd, I would let him know of it; and that if I should see any kind of Possibility, that the Business we had spoke of might be set on foot, I would advertise him; and that thereupon he would proceed to those Particulars, which he formerly intended for my Satisfaction.

Herewith I acquainted your Majesty, and finding that the Spanish Ambassador in England had Notice from the Duke of our former Proceedings, and Order to further them by all possible Means he could, especially if he should understand that your Majesty were not ful'y resolv'd of the French Match; I thought it fit, by his Means, to let the Duke understand in what Estate I found this Business in England; and thereupon, with your Majesty's Permission, wrote a Letter to him to this Effect:

'That altho' it were true that the Match with France had been treated of with much Earnestness on both Sides, and with great Likelihood of being concluded; yet there daily arose so many Difficulties and new Causes of Delay, that I judg'd it far from any perfect Conclusion; neither did I see Cause absolutely to despair of the Business which ourselves had intended, unless the Difficulties of the Conditions should make it desperate; but if these Things should be

be expected by Spain, which in the Treaty for the late <sup>An. 23. James I.</sup>  
 Prince were demanded, it were better by much not  
 to renew the Business; than by unfitting and unbecoming  
 Propositions on either Side to give Disaste,  
 or lessen the Friendship which now was betwixt your  
 Majesties. And therefore I expected that, in Spain,  
 they would be content with such Conditions as your  
 Majesty might fittingly and conveniently yield unto,  
 and all other Catholic Princes were willing to content  
 themselves with; I neither saw Cause to hope for  
 good Succes, nor Reason to set the Treaty on foot;  
 but in case that I might know that the Conditions, in  
 Point of Religion, might be such as I should see a  
 Possibility of your Majesty's condescending to them, I  
 should be far from despairing of some good Effect;  
 for that I know divers, not of the meanest nor least  
 Power with your Majesty, were thereunto well in-  
 ch'd and woud give their helping Hands, &c.'

Hereupon the Spanish Ambassador dispatch'd his  
 Secretary into Spain, and received Answer from the  
 Duke, That he should give me all Assurance that  
 there was here a great Desire and Inclination to the  
 making of the Match; and that, at my Return into  
 Spain, they no ways doubted but I should receive such  
 Satisfaction as should make it appear, that, on their  
 Part, there shold be nothing wanting for the effect-  
 ing of it.

It remaineth that I now signify to your Majesty  
 what hath passed herein, since my last coming to this  
 Court.

I arrived here in Madrid only a Day or two be-  
 fore their Christmas, and having, some six Days af-  
 ter, my Audience appointed by the King; whil'st I  
 was in a withdrawing Chamber expediting the King's  
 coming forth, the Duke of Lerma came hither to  
 bear me Company; and after many respectful De-  
 mands of your Majesty's, the Queen's, and Prince's  
 Health, and some few Complements unto myself con-  
 cerning my Welcome again to the Court, he fell to  
 speak of the false Alarms we had in England con-  
 cerning a Spanish Armada; seeming much displeas'd  
 that any Credit should be given to any Thing so  
 much

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An. 21. James I.  
1603. much to his Master's Dishonour and want of Fidelity, as he termed it ; but your Majesty, he said, did never believe it : And, it seems, he had heard of some pleasant Answer your Majesty should make to some one of your Ministers, that in great Haste came to your Majesty when you were a Hunting, and told you that the Spanish Fleet was in the Sleeve. From this he entred into great Protestation of the Sincerity of this King's Affections and Intentions towards your Majesty ; telling me, That I should now see how much they desired to work a greater Nearness and Uniting between your Majesties ; and that particularly as to the principal Business (of which in former Time he had spoken, meaning the Marriage,) he would shortly speak with me, but it must be at more Leisure. I answer'd him, That I should not fail shortly to wait on him, and that he should find me answerable to the Professions I had made, which was, that, being induced thereunto by such sufficient and good Grounds as might satisfy my Master, both for the Conveniency and Fittingness of having such a Treaty to be set on foot, and likewise might take away all Objections of their Intent of entertaining and diverting your Majesty hereby, I would be as ready to do all good Offices, and give Furtherance to the Business, as any Minister the King of Spain had. And this was all that, at our first Meeting, passed in th.s Business.

About some eight Days after, I having not all th.s Time stirred out of my House, under Colour of being indispos'd, though the Truth was, indeed, to inform myself of some Particulars which concern'd your Majesty's Service before I would speak with the Duke ; he being, as I since understood, somewhat troubled, that, in all this Time, I made no Means to come unto him, one Morning, by Nine of the Clock, very privately, came to my House, without advertising of his coming (as the Custom is here) untill his Coach staid at my Gate ; and then he sent a Gentleman to me, telling me, That the Duke was there to speak with me. When I had conducted the Duke into a Room where we were private, he fell into the aforesaid Matter, and in the Manner as I shall here  
see

set down unto your Majesty, without making any other Pretence as the Intent of his Coming, or without using, in the Space of an Hour, any Speech of any other Business.

After some few Questions of your Majesty and the Queen, he began to ask many Things of the Prince, as of his Age, his Stature, his Health, his Inclination, to what Sports he was chiefly given, and then suddenly, as it were with a passionate Expression of Affection, he desired God to bless him, and to make him the Means by which your Majesty might be conjoined in a nearer Alliance, and your Kingdoms in perpetual Amity; saying to me, That he was out of Doubt of my good Inclinations to this Business, both by what had formerly pass'd between us on this Subject, as likewise by my Proceedings in England, whereof he had been fully informed by the Spanish Ambassador; and therefore he would, in a few Words, deal with me with much Freeness and Clearness, assuring himself he should receive the like Measure from me; and thereupon entered into a solemn Protestation, how much the King desired the Match; and, for himself, he solemnly swore there was no one Thing in the World he more desired to see before he died, than the effecting thereof: But, my Lord Ambassador, said he, you must deal as justly with me, to let me understand whether you conceive the like Desire to be in the King of England and his Ministers, and then I shall proceed to speak further unto you. I answered the Duke; That I ever esteem'd more the Reputation of a Man of Truth and Integrity than of Skill and Subtilty; which, I did hope, he would well perceive by what I was to say; for that I was much more desirous fairly to go off from this Business, than easily to enter into it; and therefore if he would have me speak my Confidence, I did not conceive that, either in your Majesty, or any of your Ministers, there was any Kind of Inclination thereto; for that they having formerly given so resolute and distasteful an Answer, your Majesty had just Cause never again to cast so much as your Thoughts this Way, and though it might be alledged, That the Fitness of the Prince's Years,

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As. 21. James I. and other civil Regards, might cause new Resolutions,  
1623. yet the Differences of Religion were still the same, and the same were the Tenets and Opinions of Divines in Matter of Conscience ; and therefore it could not but be a Thing of great Difficulty to persuade your Majesty and your Ministers, that a Match should be hearken'd unto, much less desired from hence, but upon the same Terms ; the very Thought and Remembrance whereof is yet unpleasing in England : So that, to deal plainly with him, I neither found, either in your Majesty, or in the Council, any Kind of Thought or Imagination of any Possibility of having any such Motion again ; but this I found not to grow from any Dislike or want of Affection in your Majesty towards Spain, or that many of the greatest or principallest Persons in England judged not the Neurness and Alliance with Spain equally valuable with any other in Christendom ; but that, out of Distastefulness of the former Answers given from hence, all Expectations of any Business of this Nature were absolutely extinguished ; and therefore again to revive it, there would need more than ordinary Endeavours, or ordinary Assistance : But as I knew this Match would neither want Well Willers nor Assisters, and, for my own Part, I would freely make Profession, that no Man more desired it than myself, or would more willingly employ his Endeavours for the Furtherance thereof ; when, by descending to Particulars, I should see that both in regard to the Conditions and Assurance of sincere Proceeding, the Motion was worthy and proper for a good Servant to offer it unto his Master ; neither then should I be wholly out of Hope of good Success, tho' I could not but esteem it a Business of infinite Difficulties.

The Duke replied, That any Course I thought fit herein should be condescended unto ; for that all Time was lost that was spent in Generalities ; and therefore, if I so liked, he would move this King, that some one or two besides himself might be appointed to have Conference with me ; for that if he should retain it in his own Hand only, it would, by reason of his many Occupations, have a slower Progress than

he

be wish'd; but if we would, by way of Conference, An. 21. James I.  
digest the Difficulties into Heads and Particulars, he  
would, as often as he could, be present at our Meet-  
ings; and, for his own Part, he said, he apprehend-  
ed few Difficulties would arise but from Difference  
of Religion.

I told the Duke, That I very well approved of the descending into Particulars; neither should I refuse Conference with any herein whom the King should appoint to speak with me: But if his Meaning were, that these Persons should be nominated or join'd by way of Commission, I thought fit to let him understand, that I neither had any Time, nor did I at the present speak of this Business either by Order or Direction; no, not so much as even by your Majesty's Privity: But as a Minister, that desired to lay hold on all Occasions for the encreasing of further Love and Nearness betwixt his Master and the Prince by whom he is employed, I should be glad, to the utmost of my Power, to advance and further this Cause; as that which I apprehended to be the greatest, which the World now affordeth, for the firm uniting of your Majesties and your Estates.

The Duke told me, That this King would make no Scruple to declare his good Inclination and Desire to have the Match proceeded in; and that, for accommodating the Difficulties, he had already used divers Offices and Diligence with the Pope, as likewise with the greatest Divines of this Kingdom, whereof he named some unto me, whom, he said, he found very well inclined to the Match. He told me also he would be glad they might speak with me, so then I might truly understand, by them, all Kind of Scruple that could be alleged. I answered, That I desired nothing more, and that I could not but approve of those Courses he prescribed, as the most probable to produce a good Effect: and that I hoped God would give a happy Succeſs to the Business: But I should be bold in one Thing to deliver my Opinion, which was, no ways to interest our Masters herein, unless by the understanding and clearing the Difficulties on both Sides, there should be a great Appearance and Prob-  
F 2 bility

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An. 21. James I. bility, that the Business would take Effect ; for if  
1623. their Names should be therein used, and afterwards  
the Treaty should not be successful, it would but exasperate  
and breed a greater Distaste betwixt your Majes-  
ties. The Duke told me, He misliked not my Opini-  
on ; tho' he said, However the Business succeeded, yet  
you should have Reason to accept kindly this King's  
good Intentions ; for that, if it miscarried, it should  
appear not to be thro' their Default ; but that they  
had stretched as far as Honour or Conscience would  
give them leave.

And thus much be said I might write to your Ma-  
jesty, If I thought fit, or to my confidant Friends in  
England, his Word and Assurance ; and so telling me,  
that he would presently appoint those that should confer  
with me in this Business, we then parted.

Within two Days after I went to the Duke, and,  
after I had spoken to him of the Business of Cleves,  
according to my Instructions, whereof I gave an Ac-  
count to Mr. Secretary, in a Dispatch directed to him,  
we fell again into Speech of the Match.

The Duke told me he had well considered of that  
which I had said unto him, and much approv'd it,  
Not to interest our Masters in the Business till we  
should see some Likelyhood of good Success.

And for that he supposed the Difference of Religion,  
like to prove the only Difficulty of Consideration, he  
thought it fit that it should first be cleare'd ; and  
therefore he would break the Matter with the Car-  
dinal of Toledo, and the King's Confessor, and with  
them should be join'd another learned Man, one Fa-  
ther Fredrick, who, since I understand, is a Jesuit,  
but truly hath the Report of a moderate Man. These,  
the Duke said, should have Orders to confer with  
me, and Charge to go as far as might be, reserving  
safe the Grounds and Sincerity of their Religion. I  
answering the Duke, That I was well satisfied therewith ;  
and that if their Demands were such as would  
content any other Catholic Prince, I should hope of  
good Success ; if otherwise, I should yet judge it an  
Happiness to be put out of Doubt and Suspence ; and  
so we pass'd from this Subject.

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I presume to set down to your Majesty all the Passages of this Business, with so much Length and Fulness, (for that I no ways dare adventure to offer to your Majesty any Opinion or Belief of my own, either for the Fitness of the Match, or for the Sincerity of their Intention, or the Possibility of accommodating Differences in Religion) that your Majesty, seeing undisguisely all that hath hitherto passed, with every Circumstance, may be pleased, out of the Consideration and Knowledge of these Particulars, to frame unto yourself such a Belief of their direct Meaning, and such a Resolution for the further proceeding herein, as shall be most suitable to your Majesty's Wisdom. Only I shall think it fit to set down further to your Majesty, the particular Ends which, it may be conceived, they aim at, by setting this Business on Foot at this present, in case they should not intend really to perform it. The first may be to divert and stagger your Majesty's Treaty with France. The second, for the entertaining your Majesty with fair Hopes and Promises, thereby to keep you from declaring yourself opposite to them in the present Business of Jülich and Cleves; which is still remaining unsettled.

But this being so, your Majesty may be pleased to understand, that tho' they may serve themselves with this Occasion, yet that there could not any such Thing be primarily in their Intention; for the expressing of their Desire to the Match was the last Year, long before these Differences happened.

Further, the Duke of Lerma would be the most false and dishonourable Man living, without Christianity or Soul, if he would voluntarily so deeply damn himself with Oaths and Protestations of a Thing he sincerely meant not; and truly he would deal contrary to the Wisdom of his other Proceedings, wherein he layeth all Actions of Distaste or Discourtesy upon other inferior Ministers, labouring still to clear himself of the Imputation of them, if in this he should make himself the Author and Instrument of so indirect and unjust Proceedings between Princes: But the Course of most Security and Caution is, that your Majesty suffer none of your other Resolutions to

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An. 21. James I.  
1623.

be interrupted by this Overture; only, if your Majesty be pleased for a while to entertain and suspend the Conclusion of the Match with France, I conceive it can be but little to your Majesty's Disadvantage.

It, lastly, now remaineth, that I become an humble Suitor to your Majesty for your clear and full Directions in this Business; desiring that, if your Majesty will have it further entertained, I may have ample Instructions from your Majesty; both that I may intimate what may be expected in point of Dowry, and in all other Things to be required by your Majesty, as likewise how far I may proceed in satisfying them in point of Religion; for it is not to be supposed that they will proceed with that Freeness and Directness which is to be wished for, unless, in a fitting Measure, they shall see me likewise able and willing to declare myself in such Points wherein they may expect Satisfaction. I intend not hereby to move for a formal Commission to treat, but only a private Instruction for my Direction and Warrant how to behave myself as may be most advantageous to the Cause and your Majesty's Ends; So humbly beseeching your Majesty to command this Bearer to be dispatched back with all convenient Speed, I recommend your Majesty to the holy Protection of God.

Madrid, Jan. 3. 1624. Your Majesty's  
Faithful Subject  
and Servant,  
JO. DIGBY.

The Lords re-  
solve to advise  
the King to break  
off the Treaties  
with Spain;

After hearing the Contents of this Letter, the Lord began to deliberate on what should be delivered to the Commons, at a Conference that Afternoon, concerning the *Grand Affair*. And it was agreed, that the Lord-Keeper should begin with an Induction, out of the Duke's Narration; and then acquaint the Commons, That the Opinion of their House was to advise the King, *super totam Nota iam*, That his Majesty annot, with the Safety of his own Honour, or Convenience of Religion and the state, proceed any further for the Treaty of the Prince's

Prince's Match, nor rely any longer on that for the An. 21. James I.  
Recovery of the Palatinate. 1623.

It was also agreed, that the Lord-Keeper should deliver unto the Commons, by way of Supplement, first, concerning the *Treaty of Marriage*, That it appeared, by the Earl of Bristol's Dispatch, of November 3. 1624. That the first Motion of it came from Spain, viz. from the Duke of Lerma into England. 2. Concerning the *Treaty of Restitution*, That the King of Spain had promised Assistance, by Arms, in case a Mediation should not prevail; tho' now he denied it again. This appeared out of another Dispatch from the Earl of Bristol. 3. Concerning an heroic Saying of the Prince, 'That when it was noised he should be detained a Prisoner in Spain, he sent Word by Grymes to the King, *That in case News should come bilber of his Detention, his Majesty would think no more on him as a Son; but reflect all his royal Thoughts on his Sister, and the Welfare of his own Estates and Kingdoms.*'

The rest of this Day and the two following A Conference thereupon. were chiefly taken up in the Conference between the two Houses, about this *Grand Affair*, as the *Journals* call it: And,

March 5. The Archbishop of Canterbury made a Report, briefly, of what had passed at it, and delivered in the Reasons, in Writing, from the Commons, to fortify their Resolutions to advise his Majesty to proceed no farther in the *Treaties with Spain*: Which were these:

I. 'It is observed, That the State of Spain, not The Commons content with their ordinary Provisions for the Exercise of the *Roman Religion* by the Infanta and her Family, which other Princes, in like Case, would have demanded, and which his Majesty, with great Reason, might, at the Beginning of this Treaty, have conceived they would have been contented with, have, with great Vehemency, upon the Advantage of having the Prince's Person in their Possession, preslid a general Connivance for his Majesty's Subjects of the *Roman Religion*, to the great Dis- honour

Reasons for agreeing with the Lords therein.

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AN. 21. James I. honour of Almighty God, in the Sincerity of his  
1623. Service in this Realm; and to the apparent Diminution of his Majesty's Sovereignty, by establishing a necessary Dependence for Protection upon a foreign King and State; and to the great Derogation of the Laws of this Kingdom; and, lastly, to the Grief and Discouragement of all his Majesty's well-affected Subjects, from whose general Discontent they expected, as well appeareth, a Consequence of no small Mischief.'

' II. It is observed, that during the Continuance of this Treaty, and by reason of the same, the Popish Faction have exceedingly increased in this Realm, both in Multitude and Boldness; and whereas, heretofore, they have been divided amongst themselves into the Party of Jesuits depending upon Spain, and the secular Priests; otherwise they are generally, now, strongly united together, depending no less upon Spain for temporal Respects, than from Rome for spiritual; which, considering the House of Spain hath been always a capital Enemy to our Religion, to encrease their own Greatness, by extirpating the Protestant Party in all Places where they can prevail, cannot but be of most dangerous Consequence to the Safety of the King and this Realm, unless Remedy be provided with Speed for abating that Party here at home; which cannot be during the Time these Treaties are on Foot.'

' III. It is observed, that, by Advantage of these Treaties, and thereby keeping his Majesty in hope of general Peace, they have contrarily, under Pretence of assisting the Emperor, oppressed by the Protestant Party in most Part of Christendom, being the antient Allies and Confederates of this Crown, to the endangering not only of the whole State of the Reformed Religion but also against the common Safety of all the Professors of the same.'

' IV. During the Time of these Treaties of Love with his Majesty, they have, with all Kind of Hostility, set upon his Majesty's Son-in-Law, the Husband of his only and most Royal Daughter; invaded his Towns and Territories in all Places; and,

in fine, disinherited him, with all that Royal Off-<sup>An. 21. James I,</sup> spring, of all his antient patrimonial Honours and Possessions ; to the great Dishonour of his Majesty, and the extream Grief of all his well-affected Subjects ; and now also, at the last, when they should have come to make good the Hope of Restitution, they have laid new Grounds for endless Delays, and turned pretended Difficulties into apparent Impossibilities ; not forbearing also to annex, as a Condition to the weak Hope of their uncertain and imperfect Restitution, that the eldest Son of the Count *Palatine* should be brought up in the Emperor's Court : So restless are their Desires to work the Overthrow of our Religion by all possible Devices.'

\* *Lastly*, It is too apparent how many Years, from Time to Time, they have deluded and abused his Majesty with their Treaties ; how small Respect they have shewed to the Prince's Greatness and Worth ; what Indignity they have offered, again and again, to his Highness, by importuning him, upon all Advantages, to forsake his Religion ; contrary to the Custom of all Princes, and contrary to the antient Laws of Honour and Hospitality ; who ought to have been used there with princely Freedom, and pressed to nothing to which he was ill-disposed ; considering withall, with what Confidence, being so great a Prince, he had put himself within their Power ; altho' it pleased God so to guide and fortify his Princely Heart, that he constantly withstood all their Attempts and Machinations, to his own immortal Honour, and the unspeakable Comfort of all good People of his Father's King-om ; whereunto may be added the infinite Advantageousnes and endless Delays in their Treaties, inviting still to new Treaties, and turning all to the Advantage of their own particular Ends ; being true to nothing but their own ground-ed Maxim , with which neither the Match nor Restitution of the *Palatinat*e can possibly consist, but upon such Terms as threaten to our Esteem an incurable Mischief ; and, for a further Justification of

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An. 21. James I.  
1623.

of the Charge of Insincerity in all their Proceedings, these Particulars ensuing, among many others, may be produced.'

'First, In that Treaty concerning Prince *Henry*; after many specious Motions on their Part, it was followed with disavowing their own Ambassadors, and a scornful Proposition to the King for that Prince's altering his Religion.'

'Secondly, In the Treaty of *Brussels*, wherein Sir *Richard Weston* was employed, he found nothing but Delays and Deceits; and, after divers peremptory Commands from *Spain*, for his Majesty's Satisfaction, they wrought no other Effect than the Siege and taking of *Hildenburgh*; so that he was forced to return with a Protestation.'

'Thirdly, When Baron *Bascot* came thither to continue their former Treaty, the first News we heard was, the Translation of the Electorate to the Duke of *Bavaria*; of which both the Baron and Don *Carlos* protested Ignorance, and that the King of *Spain* would let the World see how much he resented such an Affront; yet it plainly appeareth, by the Letter of the Count *d'Olivares*, given to the Prince, that the State of *Spain* both had Intelligence of it before, and expected it to be effected at that Diet.'

'Fourthly, When his Highness was in *Spain* the Count *d'Olivares* shewed him two Letters, by which it plainly appeared, that, till his Coming thither, there was nothing really intended; which they were not ashamed directly to avow to the Prince himself, and that after the Requital of so hazardous a Journey, and such an extraordinary Trust. When all Articles were again concluded, they found a new Shift, by a Juncto of Divines, to let the Prince come home without the Lady; for whose Person his Highness had chiefly put himself to that Hazard.'

'Lastly, When upon his Highness's happy Return hither, we had just Cause to expect the utmost they would do in restoring the *Palatinate*; the faithful Promise of which was the only Cause that

the

## Of E N G L A N D. 91

the Prince yielded to that Juncto of Divines, the *Anas. Jamali,*  
Desponsaries being presently to follow ; the *Berg-* 1621.  
*stat* was to be delivered to the Elector of *Mentz*,  
being won by the King of *Spain's* Arms, and Part  
of it then in Possession of his own Ministers, con-  
trary to an express Article in the Treaty, conclu-  
ded by Don *Carlos* and the Baron of *Bastot* ; where-  
in it was particularly provided that no Alteration  
was to be made in these Treaties, till the general  
Treaty was at an End.'

These Reasons, with the consequent Advice to  
the King annexed, being read, the Lords approved  
of them by a general Vote of the House, *Nemine dis-  
sentiente* ; and a Committee of the Lords was ap-  
pointed to join that of the other House, in order to  
go and present them to his Majesty.

*March 8.* The Archbishop of *Canterbury* report-  
ed to the House, That, on the 6th Instant, the joint  
Committees of both Houses waited on his Majesty,  
at *Theobalds* ; at which Time he delivered himself  
to the King as follows ;

*May it please your Most Excellent Majesty,*

WE are come unto you, employed from The Address of  
your most faithful Subjects and Servants, both Houses on  
the Lords and Commons assembled in this present that Occasion.  
Parliament.

And, first, They and we do give most humble  
and hearty Thank- unto Almighty God ; that,  
out of his gracious Goodnes, he hath been plea-  
sed, now at last, to dispel the Clouds and Mists,  
which, for so many Years have dimmed the  
Eyes of a great Part of *Christendom*, in the Bu-  
siness whereof we do now consult.

And, secondly, We acknowledge ourselves most  
bound unto your Majesty, that you have been  
pleased to require the humble Advice of us your  
obedient Subjects, in a Case so important as this,  
which hitherto dependeth between your Majesty  
and the King o. Spain ; which we jointly offer  
from both Houses, *no one Person there dissenting or*  
*dif-*

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An. 11. James I.  
1623.

disagreeing from the rest. And it is upon mature  
Consideration, and weighing many Particulars of  
sundry Natures, that, finding so much Want of  
Sincerity in all their Proceedings, we, *super totam*  
*Materiam*, present this our humble Address unto  
your Majesty; that the Treaties, both for the  
*Marriage* and the *Palatinate*, cannot any longer  
be continued with the Honour of your Majesty,  
the Safety of your People, the Welfare of your  
Children and Posterity, as also the Assurance of  
your ancient Allies and Con'ederates.'

To this Speech from the Archbishop the King  
returned this immediate Answer:

My Lords and Gentlemen all,

The King's Answer.

I Have Cause first to thank God with all my Heart  
and all the Faculties of my Mind, that my Speech,  
which I delivered in Parliament, hath taken so good  
Effect amongst you; as that, with an unanimous Con-  
sent, you have freely and speedily given me your Ad-  
vice in this great Business; for which I also thank  
you all as heartily as I can.

I also give my particular Thanks to the Gentlemen  
of the Lower House; for that I heard, when some  
would have cast Jealousies and Doubts between me  
and my People, they presently quelled those Motions;  
which otherwise might, indeed, have hindred the hap-  
py Agreement I hope to find in this Parliament.  
You give me your Advice to break off both the Treaties,  
as well concerning the Match as the Palatinate: And  
now give me Leave, as an old King, to propound my  
Doubts, and hereafter to give you my Answer.

First, it is true, that I, who have been, all the  
Days of my Life, a peaceable King; and have had the  
Honour, in my Titles and Impressions, to be styled *Rex*  
*Pacificus*, should be loth, without Necessity, to embroil  
myself with War; far from my Nature and from  
my Honour, which I have had at home and abroad,  
in endeavouring to avoid the Effusion of Christian  
Blood; of which too much hath been shed, and so much  
against my Heart: I say, that unless it be upon such

a Necessity, that I may call it, as some said merrily An. 21. James 1.  
of Women, Malum necessarium, I should be loth to 1623.  
enter into it. And I must likewise acquaint you, that  
I have had no small Hope given me of obtaining better  
Conditions for the Restitution of the Palatinate, and  
that even since the sitting down of the Parliament:  
But be not jealous, nor think me such a King, that would,  
under Pretence of asking your Advice, put a Scorn  
upon you, by disdaining and rejecting it: For you re-  
member, that in my first Speech unto you, for Proof  
of my Love to my People, I craved your Advice in this  
great and weighty Affair; but, in a Matter of this  
Weight, I must first consider how this Course may  
agree with my Conscience and Honour; and next, ac-  
cording to the Parable uttered by our Saviour, after  
I have resolved of the Necessity and Justness of the  
Cause, to consider how I shall be enabled to raise Forces  
for this Purpose.

As concerning the Cause of my Children, I am now  
old; and, as Moses saw the Land of Promise from  
an high Mountain, tho' he had not Leave to set his  
Foot on it; so it would be a great Comfort to me, that  
God would but so long prolong my Days, as if I might  
not see the Restitution, yet at least I might be assured  
that it would be; that then I might, with old Simeon,  
say, Nunc dimittis Servum tuum, Domine, &c.  
Otherwise it would be a great Grief unto me, and I  
should die with a heavy and discomfited Heart. I  
have often said, and particularly in the last Parlia-  
ment, and I shall ever be of that Mind, That as I am  
not ambitious of other Mens Goods or Lands, so I desire  
not to enjoy a Farrow of Land in England, Scotland,  
or Ireland, without Restitution of the Palatinate:  
And in this Mind I will live and die.

But let me acquaint you a litt'e w'th the Difficul-  
ties of this Cause. He is an unhappy Man that shall  
advise a King to War; and it is an unhappy Thing to  
seek that by Blood, which may be had by Law. Be-  
sides, I think your Intentions are not to engage me in  
War; but, withall, you will consider how many Things  
are requisite thereunto.

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An. 1. James I. 1623. I omit to speak of my own Necessities, they are too well known. Sure I am, I have had the least Help in Parliament of any King that ever reign'd over you this many Years. I must let you know that my Dis-abilities are increased by the Charge of my Son's Jour-ney into Spain ; which I was at for his Honour, and the Honour of this Nation : By sending of Ambas-sadors, by maintaining of my Children, and by as-sisting of the Palatinate, I have incurred a great Debt to the King of Denmark, which I am not able yet to pay.

The Low Countries, who, in regard of their Near-ness, are fittest to help for the Recovery of the Palati-nate, are at so low an Ebb, that, if I assist them not, they are scarce able to subsist. The Princes of Germany, that should do me any Good, are all poor, weak, and disheartened, and do expect Assistance from hence. For Ireland, I leave it to you, whether that be not a Back-Door to be secured. For the Navy, I thank God, it is in a better Case than ever it was, yet more must be done ; and, before it can be prepared as it ought to be, it will require a new Charge, as well for its own Strength, as for the securing of the Coasts.

My Children, I vow to God, eat no Bread but by my Means ; I must maintain them, and not let them want. In the mean Time, my Customs are the best Part of my Revenues, and, in effect, the Substance of all I have to live on ; all which are farmed out upon that Condition, That if there be a War, those Bar-gains are to be disannulled ; which enforce a great Desalcation.

Subsidies ask a great Time to bring them in : Now, if you assist me that Way, I must take them up before-hand upon Credit ; which will eat up a great Part of them. This being my Case, to enter into War, without sufficient Means to support it, were to shew my Teeth, and do no more. In the mean Time, I heartily thank you for your Advice, and will seri-ously think upon it ; as I pray you to consider of those other Parts.

My

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My Treasurer, to whose Office it appertains, shall An. 21. June 1683.  
more at large inform you of those Things that concern  
my Estate. Thus freely do I open my Heart unto you ;  
and, having your Hearts, I cannot want your Helps ;  
for it is the Heart that openeth the Purse, not the  
Purse the Heart. I will deal frankly with you ;  
show me the Means how I may do what you would have  
me, and if I take a Resolution, by your Advice, to  
enter into a War, then yourselves, by your own De-  
puties, shall have the disposing of the Money ; I will  
not meddle with it, but you shall appoint your own  
Treasurers. I say not this with a Purpose to invite  
you to open your Purses, and then to slight you so  
much as not to follow your Counsel, nor engage you  
before I have engaged myself. Give me what you  
will for my own Means ; but, I protest, none of the  
Monies which you shall give for those Uses, shall be  
issued but for those Ends, and by Men elected by  
yourselves. If, upon your Offer, I shall find the  
Means to make the War honourable and safe, and  
that I resolve to embrace your Advice ; then I promise  
you, on the Word of a King, that altho' War and  
Peace be the peculiar Prerogatives of Kings, yet, as  
I have advised with you in the Treaties on which the  
War may ensue, so I will not treat nor accept of a  
Peace, without first acquainting you with it, and  
hearing your Advice ; and there'll go the proper Way  
of Parliament, in conferring and consulting with you ;  
and, haply, the Conditions of Peace will be the bet-  
ter, when we be prepared for War, according to the  
old Proverb, that Weapons bode Peace.

Your kind Carriage gives me much Content ; and  
that comforts me, which my Lord of Canterbury said,  
That there was not a contrary Voice amongst you  
all ; like the Seventy Interpreters, who were led by  
the Breath of God. I am so desirous to forget all  
Rents in former Parliaments, that it shall not be in  
my Default, if I am not in Love with Parliaments,  
and call them often, and I desire to end my Life in that  
Intercourse between me and my People, for the ma-  
king of good Laws, reforming of such Abuses as I  
cannot be well inform'd of but in Parliament, and

## 96 The Parliamentary History

An. 21. James I. 1623. maintaining the good Government of the Commonwealth. Therefore go on chearfully, and advise of these Points, and my Resolution shall then be declared.

Several Bills had been now read by the Lords, and others sent up by the Commons, that this great Council of the Land might not be wholly taken up with the Spanish Match and the Restitution of the Palatinate.

The Lords consider the State of the Nation ; which the Lord Treasurer (n) first gave an Account of to the House : Afterwards a Message was agreed upon to be sent to the Commons, to this Purpose :

‘ That, according to his Majesty’s Command, a Relation of his Estate had been made by the Lord Treasurer unto them ; and they imagine the like hath been done in their House, by some Members of it there : Therefore, as this is like to be the Foundation of these Endeavours, which must first arise from them, lest some Doubts should be started in that House, as there had been among the Lords, (which by all Means they do labour to avoid) their Lordships desire a Meeting, with all convenient Speed ; where the Prince will be pleased, in his own Person, to clear such Doubts as have arisen in this Business.’ This was agreed to by the Commons ; the Place, to be the *Painted Chamber* ; the Time, immediately.

March 12. After the Reading of some public and private Bills, the Lord President of the Council, the Viscount Mardonville, reported to the House what passed at the Conference, Yesterday, with the Commons. He said,

‘ That his Royal Highness’s Speech was fram’d upon two Doubts ; one started in that House, and the second proposed by himself ; and that he used an heroic Speech at the last. His Highness told them

(n) Lionel Cranfield, Earl of Middlesex, who was appointed Lord Treasurer on the Removal of the Viscount Mardonville to the Office of Lord President : [See Vol. V. P. 476.] But how this Accident was received, and the Consequences thereto to himself, will appear in the Sequel.

them, That the Lord Treasurer had delivered to An. 21. James I.  
1623. the Lords the present Necessity of the King's Estate. And a Doubt arising amongst their Lordships, what the King's End might be in this, his Highness thought fit to give his own Sense thereof; and, lest the like Doubt might also have arisen amongst them, the Lords had commanded him, as his Highness was pleased to say, to declare thus much unto them: ‘That the King did not intend, by that Declaration, that we should presently enter into Consideration of relieving the King's Estate; but, to let us see and know, that he could not, of himself, and upon his Estate, maintain the War that might ensue upon our Advice; but intended that, in the first Place, we should provide for the Defence and Safety of the Kingdom; and when we had resolved upon that, then it should appear a Thing of no great Difficulty to settle the King's Estate in his own due Time.’ This was for the Resolution of the first Doubt.

‘Another Doubt his Highness moved of himself, That it might be some might fear and imagine, that, when these Things shall be settled, the King would be slow to call us together again. For this, his Highness urged them to call to Mind the latter Part of the King's last Answer, ‘That it should not be his Fault if he was not in Love with Parliaments; and that, having Occasion lately to send unto the King, he found his Majesty willing to call us often to meet in Parliament.’

‘But three Things his Highness wished us chiefly to consider: *First*, How far this Busines was gone on already. *Secondly*, How far the Year was run on. And, *thirdly*, How far we have exasperated those whom we may conceive to be our Enemies. *Three good Items.*’

‘Therefore it was fit to use Expedition, and so to provide, that we might not only shew our Teeth, and do no more; but also be able to bite when there shall be Cause. Something more the Prince added, as follows; but this he told them, they must ta<sup>1</sup>

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An. 21. James I.  
1623. as spoken from himself: And certainly it was  
*Principe dignum*, a most heroic Speech.'

The Prince's  
Speech for a War  
with Spain.

Gentlemen,

I Pray you think seriously of this Business; take it to Heart and consider it. First, my Father's Honour, next mine; and more particularly mine, because it is my new Entring into the World. If, in this, ye shall fail me, ye shall not only dishonour me, but bring Dishonour upon yourselves: But, if ye go on with Courage, and shew Alacrity and Readiness in this Business, you shall so oblige me unto you now, that I will never forget it hereafter; and, when Time doth serve, ye shall find your Love and your Labour well bestowed.

Which Report the Lord President ended thus: ' This Conclusion did so take us, that we all prayed God to bless him, as we had just Cause to honour him.'

When the Lords had heard the Lord President's Report, they received a Message from the Commons to this Effect;

' That they had certain Information of great Sums of Gold to be transported beyond Seas, and, as they conjectured, by the Papists: Wherefore they thought good to acquaint their Lordships, in whose Power it is to redrefs the same, that they may take such Order therein as their Lordships think good.' The Lords answered, That they would immediately enquire about that Matter; and the Lord President, the Duke of Buckingham, the Earl Marshal, with the Earl of Southampton, were appointed a Committee for that Purpose.

The Commons  
resolve to assist  
the King therein.

Soon after came another Message from the Commons, importing, ' That the Knights, Citizens, and Burgesses having taken into mature Deliberation the King's Answer, given unto the Advice of both Houses on Friday last, the 5th of March, they have resolved, with great Alacrity and unanimous Consent, to give his Majesty Assistance: And, by reason of the Correspondence between both Houses,  
they'

## OF ENGLAND. 99

they desire a Conference; the Number, Time, and Place, at their Lordships Appointment.' An. a. r. James I.  
1623.

In answer to this the Lords named, presently, a Committee of six from each Bench to attend this Conference, that Afternoon; and, because some Emergencies may happen which will occasion the Advice of the House, they agreed to sit at the same Time.

*Post Meridiem.* The Committee of Lords being returned from the Conference with the Commons, the Archbishop of Canterbury made the Report of it to the whole House, to this Effect;

'That the Committee of the Commons acquainted them, That they were first commanded to return the hearty Thanks of their whole House to the Prince for his Highness's Speech unto their Committee, at their last Meeting; wherein they took much Joy and Comfort; and to assure him, that they will be ever very tender of his Highness's Honour.'

'That they had concurred, with one unanimous Consent, to the Assistance of his Majesty, whensover he shall be pleased to declare himself touching the breaking off the two Treaties with Spain.'

'That they had drawn up a Model of that which they intend to present to his Majesty; and, for good Correspondency, they had brought the same to be allowed of here, with such Amendments, in the Introduction only, as their Lordships should think fit.'

Then the Attorney General read the Declaration, and the Lords gave their Consent to the Substance of it, by a general Vote of the House; but agreed to mend the same in the Introduction, because it was in the Name of the Commons only. This Addition the other Committee assented to; and, when it was all finished, it was agreed to be presented to the King, by a Committee of both Houses, at such Time as his Majesty would please to admit them to his Presence.

The Journals of the Commons are very defective in their first Account of this Session of Parliament,

## 100 The Parliamentary HISTORY

An. 23. James I. ment, called *The Originals*; but this is supplied by  
1623. a subsequent Account, much fuller than the other: And as those of the Lords are so prolix in the Trials, &c. now before them, we shall begin with the Commons at this Period, to avoid Repetitions.—What we find most remarkable in them is, that,

State of the King's Debts.

March 11. The Chancellor of the Exchequer reported some Particulars relating to the King's present Debts, occasioned by some late Expences, and particularly the long and deceitful Treaties he had entered into, ‘That, from the Year 1617, the King had expended 145,000 l. in Entertainment of Ambassadors sent hither; Charge of the naval Expedition against the Pirates; on Ships for the Prince's Journey; Money taken up by the Prince in Spain, &c. That there was 80,000 l. due to the King of Denmark, with Interest. Towards all these —————— Here is an *Hiatus* for what had been given towards it. And he next proceeds to acquaint the House what Savings, in the public Expences, had been made; as, ‘That, for Ireland, an Establishment was begun there, both for Church and Common-Wealth; which, pursued, would subsist of itself: For the Navy, besides the King's Timber, it cost 50,000 l. a Year; reduced these last five Years to 30,000 l. and ten new Ships built, besides many Houses for Magazines: For the Forts, a Commission was given this last Summer to two Persons, who have made a Certificate of the Charge; which may be seen when the House pleases.’

The next that spoke was Sir Benjamin Rudyard, who proved, in the succeeding Reign, a great Orator in the House, he said, ‘That Want of Parliaments were the principal Means of the Growth of Grievances in the Common-Wealth: That the King's Propositions to us now, were, how to make good that Breach which we advise him to: To prepare for their own Security: To intreat the Lords to join with them in a Committee of a Council of War, to devise the fittest Means to execute Ireland, our Forts, fit out our Navy, and join with

## Of ENGLAND. 101

with the *Low Countries*: Also to present the King <sup>An. 21. James I.</sup> with some Relief for himself, to sweeten him, <sup>1623.</sup> besides the Provision for War.'

There were many Speakers besides, in these Affairs, all tending to advise the King to dissolve the Treaties; and, at last, it was resolved, upon the Question, 'That, in pursuit of their Advice, upon his Majesty's Declaration to break the Treaties, they would be ready to assist him, in a parliamentary Manner, with their Fortunes and Abilities.' This was carried without one Negative Voice: But the Result of all these Resolutions will appear in the subsequent Proceedings of the Lords.

*March 13.* After some public and private Bills were read, his Royal Highness acquainted the House, That his Majesty was pleased the Committees of both Houses should attend him the next Day, at *Whitehall*, at Two in the Afternoon, in order to deliver their Declaration. And a Preamble to it being thought necessary by the Lords, the same was communicated, by Message, to the Commons, and approved of by that House. Accordingly,

*March 14.* The Archbishop of *Canterbury* (n), who had been appointed to deliver these Matters to the King, waited on him, at the Head of the Committee of both Houses, and spoke as follows:

*May it please your Sacred Majesty,*

WE are come unto you again from your most faithful Subjects and loyal Servants, the Lords and Commons in this present Parliament assembled. And, first, we humbly let your Majesty know how much we hold ourselves bound to Almighty God, that he hath set a King to rule and reign over us, who is pleased, in the greatest and weightiest Causes, to speak and be spoken unto in Parliament, by his good and loving People; which maketh a King to understand them over whom he beareth Rule, and them again to understand him. It is a true Bond

G 3

\* that

(n) *George Abbot.*

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Ap. 21. James I.  
1623.

‘ that tieth the Heart of a Sovereign to a Subject,  
‘ and of a Subject, reciprocally, to their Liege  
‘ Lord and Sovereign.

‘ Next, we rejoice that your Majesty has shewn  
‘ yourself sensible of the Insincerity of that People,  
‘ with whom, of late, you have had a double  
‘ Treaty, and of the Indignities offered by them  
‘ to your blessed Son, the Prince, and to your  
‘ Royal Daughter ; and that your Kingly Heart is  
‘ filled with an earnest Desire to make Reparation  
‘ to her noble Consort and herself of the *Palati-*  
‘ *nate*, their Patrimonial Possession, which is agree-  
‘ able to Justice, and unto all the Laws both of  
‘ God and Man.

‘ For the effecting whereof, to testify with what  
‘ Alacrity, and with what Expediteness and Uni-  
‘ formity of Heart, both your Houses of Parlia-  
‘ ment, in the Name of your whole Kingdom,  
‘ have borne themselves unto your Majesty, with  
‘ Offer to give you their real Assistance ; we have  
‘ digested it into Writing, lest, by the verbal or  
‘ vocal Delivery of any one Person, it may mis-  
‘ carry, or the Expression of our Zeal be weaken-  
‘ ed and diminished ; which we humbly pray your  
‘ Majesty to give me Leave to read unto you.’

### The Parliament's REMONSTRANCE or DECLARA- TION to the KING.

*May it please your Most Excellent Majesty,*

‘ **W**E your Majesty's most humble and loyal  
‘ Subjects, the Lords and Commons in  
‘ this present Parliament assembled, having lately  
‘ received and taken into our Consideration your  
‘ gracious and prudent Answer, given to the una-  
‘ nimous and humble Advice, presented to your  
‘ Majesty in the Name of both Houses, (That the  
‘ two Treaties, one of the *Palatinate*, the other  
‘ of the *Marrage*, might be dissolved,) do, in all  
‘ Humbleness, render to your Majesty our most  
‘ dutiful Thanks, that you have been pleased to  
‘ take in so good Part the Manner of our Pro-  
‘ ceedings

• cedings in that weighty Business; as, likewise, An. 21. James I.  
• graciously to intimate your Royal Inclination not 1623.  
• to reject that Counsel which yourself was pleas'd  
• to ask; and which, accordingly, hath been offer-  
• ed to your Majesty in the Name of both the  
• Houses.

• And whereas, in your princely Wisdom, you  
• made known to us, That your own Treasure,  
• by reason of your extraordinary Charge and Ex-  
• pense at this Time, is so much exhausted, that  
• your Majesty, by your own Means, cannot sup-  
• port a War, wh.ch, haply, may follow on the  
• Breach of these Treaties: We do therefore, most  
• humbly and earnestly, beseech your Majesty,  
• that neither that, nor any other Consideration,  
• may hinder your present Resolution, for which  
• you have our most cheerful and universal Advice;  
• and we do, with dutiful and zealous Affections,  
• assure your Majesty, and hereby manifest and de-  
• clare, That in Pursuit of our Advice, upon your  
• Resolution made to dissolve the said Treaties,  
• (the Deferring whereof may prove dangerous)  
• we will be ready, in a Parliamentary Manner,  
• with our Persons and Abilities to assist you.'

Mr. Rushworth hath given us the *Archbishop's Preamble*, the *Parliament's Declaration*, and the *King's Answer* to them, at this Time (o); but how widely different from those above, taken from the Lord's *Journals*, will appear to any who will give themselves the Trouble to compare both. The introductory Speech, indeed, is pretty exact; but the Declaration in Rushworth is a quite different Thing; being the *Proposition* which was made to the King, some Days after this, on his Answer to the *Declaration*; as the Reader will find in the Sequel. The *King's Answer* is like-wise defective in many Places; whole Paragraphs being omitted, and others strangely mutilated. Many more Mistakes, of this Nature, will be found

(o) *Collections*, Vol. I. P. 134. &c.

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An. 21. James I. found in that Gentleman's Collections, in the Progress of these Enquiries.  
1623.

It is to be noticed also, That his Royal Highness's Explanations of some Passages in his Father's Speech, were not made at the Time when the King spoke it; but when the Attorney-General was ordered to read it again to the Lords. Otherwise, as it stands in *Rushworth*, it looks as if the King had placed the Prince and the Duke at his Elbow, to explain his own Meaning to the Committees.— This has induc'd us to collate every *Speech*, *Remonstrance*, &c. in his *Collection*, with the *Journals*.— And, to prevent the Imputation of not doing Mr. *Rushworth* full Justice in this Affair, his *Omissions* are distinguished, by being printed between *Crotchets*; and where there are *Variations*, only, we have given the Text as it stands in the *Lords Journals*, and Mr. *Rushworth*'s is added by way of Note.— A Caution highly necessary where the Care, or Integrity, of so celebrated a *Collector* is call'd in Question. — But to proceed.

To the foregoing *Remonstrance* his Majesty answered as follows:

My Lords and Gentlemen all,

The Report of  
the King's An-  
swer.

I Have nothing to say to the Preamble of my Lord of Canterbury, but that he intimated something in it which I never spoke (p): For whereas he said,  
‘I have shewed myself sensible of the Insincerity of those,  
with whom I had lately to deal, and of the Indignity  
offered to my Children:’ In this you must give me Leave  
to tell you, that I have not expressed myself to be either  
sensible or insensible of their good or bad Dealing:  
Buckingham hath made a Relation to you, by my  
Commandment, which you are to judge upon;  
but I never yet delivered my Mind upon it. When  
Jupiter speaks he vies to join his Thunder to it;  
and a King should not speak, except he maintain  
it

(p) In *Rushworth* it runs thus, cannot allow of.

it by Action (q). As for the Matter of their Declaration unto my Demands, which you have couched in that Paper, which I now heard read unto me, I confess, it is without Example, that any King hath had such an Offer. And, with your Favour, I need fear nothing in this World, having so much the Hearts of my People. For the large Offer of Assistance, I hold it to be more than Millions of Subsidies; and, indeed, it is an ample Reward for the Trust and Freedom which I have used with you.

But, my Lords and Gentlemen, you must give me Leave, on the other Side, to consider the Possibility of the Action: For, in this Case, I must do, as a Man that maketh a Fortification, which must have Out-Works and In-Works; so I must not deal only with my own People, but with my Neighbours and Allies, to assist me in so gree a Busness as the Recovery of the Palatinate. And, in this Case, it is not sufficient to have the Hearts of my Subjects, without the Help of my Neighbours and Allies. On the other Side, unless particular Means be set down, it will neither be a Bridle to our Enemies, nor a Comfort to my Friends who shall join with me. General Words will not carry it; therefore I must resort to particular Means, and follow the Counsel of our Saviour Christ in the Gospel, before I begin a War, to see how I can maintain it. God knows it is a longsome Work, yet I desire with Moses, as I said before, but to see the Land of Promise, tho' I live not till it be recovered. But unless particular Means be discovered, it is little to the Point: Therefore, since you give me such fair general Promises, I will deal freely with you, I will tell you, in particular, the Way, I will propose, either by way of Subsidies or otherwise; which being done in Parliament is a Parliamentary Way. I would require you to be pleased to bestow upon me five Subsidies, and two Fifteens to every Shilling, for the War: And, for mine own Necessities, my crying Debts are so be-

vy,

(q) Rushworth has it thus, It was Buckingham's Relation to you which touch'd upon it, but it must no be me nor make Jupiter speak that war. Jupiter speaks not; for when I speak on such Thing, I will speak it with that Reason, and back it with that Power, which becomes a King.

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Mr. J. James. 1623. *vy, that no Man can bear them with a greater Grief  
of Heart, and Sting of Conscience, than I have done,  
and do : And I now growing old, would be glad to  
see a Means for the satisfying of my Debts before I  
go out of the World : And, for this End, I desire you  
would give me one Subsidy and two Fifteens yearly,  
untill my Debts be paid.*

Here the Prince his Highness taking Notice of an Objection made, that this might seem contradictory to that which his H.ighness had told the Committee of both Houses, That the King's Majesty would ask nothing for his own Particular till the Wats were provided for : The Prince said, That the Duke of Buckingham, in his Absence, hath moved this Doubt unto the King.

Whereupon the Duke affirmed, that, speaking with the King about it, his Majesty was pleased to say, If we would add one Subsidy, and two Fifteens to make it up fix Subsidies and twelve Fifteens for the War, he was well content to quit that which he had asked for his own Necessities.

The King proceeded: *If this may be done, or that I may see a fair Way for it, I will follow your Advice ; for I would never have asked your Advice to reject it, or to put a Scorn upon you. For the levying of these Subsidies and Fifteens, I would have you to consider how to clear these two Difficulties. If you levy them too suddenly, it may be heavy for the People ; if you stay too long, it will not serve the Turn : But this I leave to your Consideration. And since I leave it to yourselves to receive the Money, and expend it by your own Committees of both Houses, you may be the more secure. And yet I would not have you to be too hasty in the levying of it, that no Extremity be shewed to my People by imposing too heavy a Burden upon them, which God forbid. On the other Side, the Business will not suffer too long lingring about it. I told you before, I had, in this great Business, to look to my Conscience and Honour, as well as to the Means ; For the Means, I must have it from you ; my Conscience and Honour is my own, of which I have thought*

*I thought, and do think daily, and how I shall be able to Amst. Junct. L.  
discharge them as a King ought to do.* In this Point 269.  
I am already resolved in a great Part; but, if any  
Scruple shall remain with me, I will acquaint you  
with it, and not only seek but follow your Advice(r).

Here again the Prince said, He had spoken with  
his Father, to know of him, whether he were sa-  
tisfied in Honour and Conscience that he might in  
this Case undertake a War; and that his Majesty  
answered, He was already satisfied and resolved  
therein; but, for the Manner of publishing it, he  
would take your Advice.

Then the Duke of Buckingham said, The Rea-  
son why his Majesty used these Words, was, that  
having formerly spoken of his Honour and Con-  
science, if he should now have left them out, it  
might have been thought that Money only had  
drawn him to it. But the King said he was alrea-  
dy satisfied and resolved, yet would have our Ad-  
vice for the Manner of declaring it.

The King again proceeded. *I told you before,*  
*that this was the Way to make me in Love with Par-*  
*liaments: And, to shew mine Inclination to continue*  
*them still, my Resolution is to make this a Session*  
*for the passing of as many good Laws, as, in conve-*  
*nient Time, may be prepared; and, at Michaelmas,*  
*& within a few Days after, to have a new Session,*  
*and another at the Spring. And, in the mean Time,*  
*you may go down and acquaint yourselves with the*  
*Grievances of my People, and you shall see my Care*  
*to make good Laws, and to reform Abuses; that so*  
*my Subjects may find the good Fruits of Parliaments,*  
*and rejoice in them: And, I protest, as I have asked your*  
*Advice in these Points, which I needed not to have done,*  
*& I will never enter into any Agreement or Treaty of*  
*Compo. t. n for Peace, until i. the End of W-r (else*  
*i. unjust and unchristian) without your Advice: And*  
*I will help you myself, if we enter into a War, to*  
make

(r) In Rushworth it is, Yet not without taking Help of your Ad-  
vice, which I would never have sought, unless I had meant to fol-  
low it.

An. 21. James I. make it allowable to the World, and honourable for  
 1623. me.

Several Days passed after the last Date, without any Thing being done by the Lords, or sent up by the Commons, worth our Notice (s), untill,

*March 22.* When the Lords received a Message from the Lower House, importing, ‘That, since they desired all Expedition to be made in the great Business of the two Treaties, and had taken into Consideration his Majesty’s last Answer, they have thought on a Proposition to be made to him touching those Affairs; wherefore they desire a Conference with the Lords about it.’

This Conference was accepted by the Lords; and, when their Committee was returned from it, the Report was made by the Archbishop of *Canterbury*, That the Commons had delivered to them their Propositions in Writing, and had left a Blank for their Lordships to be named with them, if they thought fit. Then they were read to the House; and the Question being put, it was agreed, by all, only one Lord dissenting, to fill up the Blank. But afterwards, the Lords taking Exception against one Clause about Religion, mentioned in the said Proposition, the Commons agreed to leave it out; but not without a Division of their House. The Proposal from the two Houses therefore, as it was delivered to the King by the Archbishop of *Canterbury*, was in these Words:

*Most Gracious Sovereign,*

The Parliament’s Address to his Majesty upon voting a Supply.

‘ **W**E your Majesty’s most humble and loyal Subjects, the Lords and Commons in this present Parliament assembled, do first render to your most Sacred Majesty our most dutiful Thanks, for that, to our unspeakable Comfort, you have vouchsafed to express yourself so well satisfied with our late Declaration made unto your Majesty, of our general Resolution, in Pursuit of

(s) From *March 27* to *April 21*, the Commons Journals are deficient.

' of our humble Advice, to assist your Majesty in An. 21. James I.  
' a Parliamentary Way with our Persons and Abi- 1622.  
' lities.

' And whereas your Majesty (in your great Wis-  
dom and Judgment, foreseeing that it will make  
a deeper Impression, both in the Enemies of that  
Cause, and in your Friends and Allies, if they  
shall not only hear of the chearful Offers, but  
also see the real Performance of your Subjects  
towards so great a Work) was graciously plea-  
sed to descend to a particular Proposition, for  
the advancing of this great Busines: We there-  
fore, in all Humbleness, most ready and willing  
to give your Majesty, and the whole World, an  
ample Testimony of our sincere and dutiful In-  
tentions herein, upon mature Advice and Deli-  
beration, as well of the Weight and Importance  
of this great Affair, as of the present Estate of  
this your Kingdom (the Weal and Safety where-  
of is, in our Judgments, apparently threatned,  
if your Majesty's Resolution, for the dissolving  
of the Treaties now in question, be longer de-  
ferred; and that Provision for Defence of your  
Realm, and Aid of your Friends and Allies, be  
not seasonably made) have, with a chearful Con-  
sent of all the Commons, no one dissenting, and  
with a full and chearful Consent of the Lords,  
resolved, That (upon your Majesty's public De-  
claration for the Dissolution and utter Discharge  
of both the said Treaties, of the *Marriage* and  
of the *Palatinate*, in Pursuit of our Advice there-  
in; and towards the Support of that War which  
is likely to ensue; and more particularly for those  
four Points propos'd by your Majesty, namely,  
for the Defence of this your Realm, the secu-  
ring of *Ireland*, the Assistance of your Neigh-  
bours the States of the *United Provinces*, and  
other your Majesty Friends and Allies, and for  
the setting forth of your Royal Navy) we will  
grant for the present the greatest Aid which was  
ever given in Parliament, [*to be levied in so short*  
*a Time,*] that is to say, Three entire Subsidies.

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An. 21. James I.  
1623.

\* and three Fifteenths, to be all paid within the  
\* Compass of one whole Year after your Majesty  
\* shall be pleased to make the said Declaration ; the  
\* Money to be paid into the Hands, and expended  
\* by the Direction of such Committees or Com-  
missioners, as hereafter shall be agreed upon at  
\* this present Session of Parliament.  
\* And so we most humbly beseech your Maj-  
\* sty [graciously] to accept of these First-Fruits of  
\* our hearty Oblation, dedicated to that Work,  
\* (which we sincerely desire may prosper and be  
\* advanced) and, for the future, to rest confi-  
\* dently assured, That [if you shall be engaged in  
\* a real War] we, your loyal and loving Subjects,  
\* will never fail, in a Parliamentary Way, to assist  
\* your Majesty in so Royal a Design ; wherein  
\* your own Honour, and the Honour of your  
\* most noble Son, the Prince ; the antient Renown  
\* of this Nation ; the Welfare, and very Subsist-  
\* ence of your noble and only Daughter, and her  
\* Consort, and their Posterty ; the Safety of your  
\* own Kingdom and People ; and the Prosperity of  
\* your Neighbours and Allies, are so deeply en-  
\* gaged.'

Thomas Morley  
and others pu-  
nished for reflec-  
ting on the Lord  
Keeper.

March 23. One Thomas Morley, having pre-  
sented a Petition to the House of Lords, highly re-  
flecting on the Lord Keeper, for some indirect  
Practice against him in the Star-Chamber ; and,  
afterward, printing and dispersing many Copies a-  
broad : The said Morley was called before the House  
to answer the same ; and, after a full Hearing of  
his Allegations, behaving himself very impudently  
at the Bar, he was, by general Consent, sentenced,

I. 'That the said Thomas Morley shall, for his  
great Offence, be imprisoned in the Fleet during  
the Pleasure of the House.'

II. 'That he shall undergo, to the King, a Fine  
of 1000 l.'

III. 'That he shall stand, with his Neck in the  
Pillory, in Cheap, with one of the said Petitions  
upon his Head, at Eleven in the Forenoon.'

## Of E N G L A N D. III

IV. ‘That he shall make his humble Submission Ad. 21. James I.  
1623. and Acknowledgement of his Fault at the Bar, and also in Chancery, unto the Lord Keeper, the first Day of next Term.’

One *David Waterhouse*, who had penned the said Petition for *Marley*, was also fined 500 l. and imprison’d during Pleasure, &c. The Printer was likewise punished, but in a milder Manner.

March 24. The House of Lords went upon a further Justification of the Duke of *Buckingham*, against the Complaint of the Spanish Ambassador to the King. And there having been a Memorial presented to his Majesty, by both Houses of Parliament, concerning it, according to an Order of the 27th of February last and the first of March, the Report of it was made to the House this Day, by the Lord Keeper, with the King’s Answer to it, in Manner following :

*May it please your Most Excellent Majesty,*

‘Y Our Majesty’s most loyal Subjects, the Lords Both Houses pre-  
Spiritual and Temporal, the Knights, Ci- sent to the King  
tizens, and Burgeses, assembled, at this Time, a Memorial in  
in both Houses of Parliament, being informed Justification of  
of a Complaint made to your Most Excellent the Duke of  
Majesty, against the Lord Duke of *Buckingham*.  
That, in the Narrative, which, by your Maj-  
esty’s Command, he made to both Houses, the  
24th of February last past, he should let fall some  
Passages, grievous to the Honour of the King of  
*Spain*, and inferred to be of so high a Nature, as,  
if the like had been spoke by any Subject of that  
King against your Majesty, it would not have  
been otherwise expiated, than with the Loss of  
his Head that spoke it. Taking this into their se-  
rious Consideration, and conceiving that this Ac-  
cusation doth, in an oblique Line, fasten an Asper-  
sion upon themselves also, do, in all Submission  
and Humility, make to your Majesty a threefold  
Representation : *First*, Concerning that great  
King. *Secondly*, Concerning that eminent Lord.  
*Thirdly*, Concerning themselves.

‘First,

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An. 21. James I. 1623. ‘First, Concerning that King, they do, with the unanimous Vote of both Houses, absolutely acquit and clear the Lord Duke from letting fall any Words, at all, derogatory to the Honour of that King:

‘For the second, that concerns my Lord, they do, in the like Humility, attest unto your most Sacred Majesty, That if my Lord the Duke had omitted any Matter represented unto them that Day, he had for so much failed in the Performance of that Duty and Fidelity which he oweth unto your Majesty, to the Busines, and unto both Houses.

‘For the last, which concerneth themselves, they make bold, in like Humility, to represent unto your Majesty, That they do much honour my Lord the Duke for that Narration, and do render unto him all possible Thanks for the Fidelity and Industry expressed therein ; and so, without your further Trouble, do humbly beseech your Most Excellent Majesty to interpret fair of this their Representation, which they held themselves bound to offer unto your Majesty, for the clearing of so eminent a Person ; who, as they verily believe, hath, in this Negotiation, well-served of your Majesty and the Common-Wealth : So they heartily pray unto God long to preserve your Most Excellent Majesty.’

This ended, the Lord Keeper proceeded thus in his Report ;

‘Now, my Lords, concerning his Majesty’s Speech ; it is not to be expres’d or reported, because it is a Speech of Affection as well as of Narration, not possible to be uttered, but in the same Words it was delivered : Therefore, unless a Man had Myron’s Art, *Qui Animos Hominum depinxisse dicitur*, who could paint to the Life the Souls and Affections of Men, he cannot do this as it should be done ; for, as Livy said of Cicero, *Ad laudandum Ciceronem, altero Cicerone opus est*, there had need

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to be another *Cicero* to undertake the commanding An. 21. James I.  
of Cicero; so, surely, he ought to have as large a  
Heart as our gracious King, that will report his  
powerful and gracious Expressions.' 1623.

'I will therefore crave Pardon of the House for delivering it in Writing, very near the Words and Syllables in which it was pronounced ; and, first, to be read once or twice, if your Lordships please, to the House, and then to be enter'd in the *Journal Book*, as a Record of no small Comfort and Consequence to the Public : For I may, without Flattery, which, for ought I know, I have been ever free from, declare, That such Servants as these, sunt *Instrumenta boni Sæculi*, are Tools and Instruments to carve out a brave and happy World to ensuing Posterity, as *Symmachus* writes in one of his Epistles.'

This laid, the Lord Keeper read his Majesty's Speech, out of a Paper, *in hæc Verba*:

My Lords and Gentlemen all,

I Might have Reason to speak nothing in regard of His Majesty's the Person whereof you speak, but, in regard of Answer thereto your Motion, it were not civil; for, if I be silent, I shall wrong neither myself, nor that Nobleman which you now speak of, because he is well known to be such an one as stands in no Need of a Prolocutor, or Fidejussion, to undertake for his Fidelity, or well carrying of his Business: And, indeed, to send a Man upon so great an Errand, whom I was not resolved to trust for the Carriage thereof, were a Fault in my Discretion scarce compatible to the Love and Trust I bear him. It is an old and true Saying, That he is a happy Man that serves a good Master; and it is no less Truth, That he is a happy Master that enjoys a faithful Servant.

The greatest Fault, if it be a Fault, or at least-wise the greatest Error, I hope he shall ever commit against me was his desiring this Justification from you, as if he should have need of any Justification from others towards me; and that for these Reasons:

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An. 21. James I. First, Because he, being my Disciple and Scholar, may be assured I will trust his own Relation.  
1623.

Secondly, Because he made the same Relation unto me, which he did afterwards unto both Houses; so as I was formerly acquainted both with the Matter and Manner thereof; and if I should not trust him in the Carriage, I was altogether unworthy of such a Servant. He hath no Interest of his own in the Business: He had ill Thoughts at home for his going thither with my Son, altho' it was my Command, as I told you before: And now he hath as little Thanks for his Relation on the other Part; yet he that serveth God and a good Master cannot miscarry for all this.

I have noted in his Negotiation these three remarkable Things, Faith, Diligence, and Discretion; whereof my Son hath borne Record unto me; yet I cannot deny, but, as he thought to do good Service to his Master, he hath given ill Example to Ambassadors in Time to come, because he went this long Journey upon his own Charges. This would prove an ill Example, if many of my Ambassadors should take it for a Precedent. He ran his Head into the Yoke with the People here for undertaking the Journey, and when he there spent about forty or fifty thousand Pounds, never offered his Account, nor made any Demand for the same, or ever will. I hope other Ambassadors will do so, no more. I am a good Master that never doubted of him; for I know him to be so good a Scholar of mine, that I say, without Vanity, he will not exceed his Master's Dictates; and I trust the Report not the worse be made, because it is approved by you all; yet I believe an honest Man as much as all the World, and the rather, because he was a Disciple of mine. I am glad he has so well satisfied you, and thank you very heartily for taking it in so good Part, as I find you have done.

When this Answer of the King's was also read to the House, and was ordered to be enter'd in the Journals, the Duke of Buckingham stood up, and gave unto the Lords his most hearty Thanks for  
the

the great Favour they had done him ; and professed to their Lordships, ' That they had absolutely engaged him for the Time to come, to employ all the Power and Favour, which he had in his Majesty's Service, for the public Good of the Kingdom, and for the Service of every one of their Lordships, in particular, who should have occasion to make use of him. Concerning his Journey to Spain, it did not cost him so much as his Majesty was pleased to name ; yet, whatsoever it was, he might very well expend it in his Majesty's Service, being but the Produce of his Bounty and Goodness towards him. And, if his Majesty should extend his Liberality to any one of his Ambassadors, in so large a Proportion, they would be very unthankful, if they did not do as much for him as he had done.'

The Duke further declared, ' That it was his Majesty's Intent to send a present Dispatch into Spain, in order to break off the two Treaties of the Match and the Palatinate, as was required by Parliament, with the Reasons moving him thereto.'

The Lords no sooner heard this latter Part of the Duke's Speech, than they sent a Message to the Commons to desire an immediate Conference with them, in order to communicate this pleasing News to that House. And joyful News it was to all England, as well as to the Parliament. The City of London, Rushworth tells us, testified their Approval of it by Bonfires, ringing of Bells, and other Demonstrations of Joy : But, as it is common in those Cities, for the Mob to exult too much, and carry their Zeal too far, so, in this, they exceeded their Bounds, as appears by the following Extract from the Journals. The King had published a Declaration of this Breach with Spain the Day before, which occasioned the Rejoicings. And,

This Day, the Duke of Buckingham signified to the Lords, ' That the People making Bonfires, Yesterday, for Joy of the King's Declaration, some of the Servants of the Spanish Ambassador looking at them, were very uncivilly used.' Therefore

An. 21. James I.  
1623.

The Duke of  
Buckingham's  
Thanks to the  
Lords for their  
Justification of  
him.

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An. 22. James I. his Grace moved their Lordships to take this into  
1624. their Consideration, and redress the Wrong done  
to a foreign Ambassador.

The House approved well of the Duke's Motion, and agreed, That if they could, by strict Enquiry, which they intended to make, find out the Offenders therein, they would cause them to be punished, according to the King's late Proclamation, forbidding any Abuses to be offered to Ambassadors. And they further agreed to signify this to the Commons at the next Conference.

March 25. The Festival of *Easter* now drawing nigh, the Lords agreed to a Recess of Parliament till *Thursday, April 1*, in that Week. In the mean Time they appointed a Committee of their House, to assist the King's Secretaries, in that Vacancy, in drawing up a Manifesto of this great Affair ; of which they also agreed to inform the Commons.

The same Day, a Committee of Lords being returned from a Conference with the Commons, the Lord President read the King's Declaration, which he made two Days before to a Committee of both the Houses ; which was in these Words :

My Lords and Gentlemen,

The King's Declaration for that Purpose. THE last Time I spake to you anent this great Business, I told you what, in my Opinion, was

necessarily required for the beginning of it, the Reasons whereof you have truly set down out of my last Speech ; wherein I shewed you what Good it would do, and what Harm it might free us from, to express particular Aids at this Time as well as general Promises. It is true, I must confess, that how far you declare yourselves, is sufficient for the present Enterance into the Business, tho' a great deal short of what I told you it would require. But, as God bears me Record, and, I think, the Hearts of all my loving Subjects will testify for me, I never did stick for Money, but only desired you to clear yourselves by Particulars, that I may see how I may be able to go thro' so great

## OF ENGLAND. 117

great a Matter, at least to make a good Beginning of An. 22. James I.  
the War; for what the End will be, God knows. 1624.

So, on the other Part, I gave you Thanks for your general Offer, by which you did engage yourselves, in your Lives and Estates, which is more than forty Subsidies, if you had named them, and more worth than a Kingdom; for the Strength of a King, next under the Protection of God, stands in the Hearts of his People. And I must needs say, in this Particular, it is without Example, that ever any Parliament, for a Beginning, gave to a King so great a Supply to be levied in so short a Time. This may well serve for a Preparation: And, for my Part, first, considering your general Offer, (which is ten Times more to me than all Subsidies) and, next, considering that these Particulars, coming from you, be as much as at once you are able to pay in so short a Time, being within a Year, and as much as may be well expected: Therefore, with as much Love, and as great Thanks, as a loving and kind King can give to so loving and dutiful People, I thank you for your Offer, and do accept it.

I told you before, that I would never have craved your Advice to reject it, and so put a Scorn upon you: Think me not that Man.

It is true, I think no wise King can undertake so great a Bargain, but he must well bethink himself before-hand: And I account it better that a King advise well before he take a Resolution, than advise rashly, and after repent. Therefore, my Lords and Gentlemen, I declare unto you, That as I am willing to follow your Advice in the annulling and Breach of the two Treaties, both of the March and of the Palatinate; so, on the other Part, I assure myself, you will make good what you have said, That what you advise me unto, you will assist me in, with your Wisdom, and Council, and Forces, if need require.

I pray you have a charitable Opinion of me, as you are to have of a King who hath so long ruled and governed over you; and I may vaunt myself thus far to have done it with Justice and Peace: But, as I told you before, all my Forbearance hath been so

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Ab. 22. Januarii  
1624. sparing the Effusion of Christian Blood, and as the  
most easie and probable Way for recovering the Palatinate for my Children. It is true I have been so  
long delayed and payed with Generals, that I dare  
not longer trust unto them; which made me en-  
join Buckingham to make (t) a particular Relation  
unto you of all that Business, (and I am sure such an  
Account was never before given in Parliament) that  
thereby you may know what to trust to. I could, in  
this Case, have resolved myself; but, I thought it  
could not but be both a Strength and Honour to me to  
have the Advice of my People.

My Lords, in the late Parliament, I then declared  
it unto you, That I was resolved, without Respect of  
Friendship, or Match, or whatsoever, to have the Pa-  
latinate one Way or other. I hope you remember it.

God is my Judge and Saviour I never had any other  
End, and it is Pity I should live to have any other  
End; and, for my Part, except, by such Means as  
God may put into my Hands, I may recover the Pa-  
latinate, I could wish never to have been born. I am  
old, but mine only Son is young, and I will promise  
for myself and him both, that no Means shall be unused  
for the Recovery of it. And this I dare say, as old as  
I am, if it might do good to the Business, I would go  
in my own Person, and think my Labour and Travell  
well bestowed, tho' I should end my Days there: For  
if I shou'd spare any Means possible for the Recovery  
of it, then let me be thought not worthy to reign over  
you; and, in good Faith, I never resolved to live with  
other Mind. And, I will say more, there was never  
any Enemy of my Son in Law, with whom I talk'd  
of that Business, or any that ever I spake with of  
the same, which did not say, and confess, I had Rea-  
son to haue the Palatinate, one Way or other: And  
when they say that it is good Reason, and themselves  
allowed it, it is a good Spur to me to think on it.

My Lords and Gentlemen, thus far assure your-  
selves, I will go hearfully about it, to prepare all  
Things

(t) I R sworth thys Trust vnto that which made me ex-  
The Duke of Buckingham made, &c.

## Of ENGLAND. 119

Things possible for it; and as you have given me the An. 22. James I.  
Means, so will I employ them toward it 1624:

In the next Degree, I hope you will think of me; but that I leave to your own Counsel and Consideration: But, I protest to God, a Penny of this Money shall not be bestowed but upon this Work, and by your own Committees: And, I assure myself, you will think of me for a double Reason, my Customs are likely to fall, by Occasion of the War, and my Charges increase; but, undertaking the War, I must be charg'd with it one Way or other, tho' I sell my Jewels and all.

In the next Session you will consider how this hath been husbanded, and, according to that, think what is next to be done; and it will spur you the more to enable me for the rest, whereof I speak to you before. I will clear you in some Things (for I will not deal with you in any Thing but fairly and clearly as a King): Tho' I have broken the Nicks of three Parliaments, one after another, I hope that, in this Parliament, you shall be so resolved of the Sincerity of my Heart, and of your Duties and Affections, that this shall be a happy Parliament, and make me greater and happier than any King of England ever was.

In my last Speech I promised you, That if I accepted your Offer, I would follow your Advice, and would not after hearken to any Treaty of Peace, without first acquainting you, and requiring your Advice; and I likewise promised nothing should be spent of your Money but by your own Committees: But I desire you to understand, that I must have a faithful secret Council of War, that must not be ordered by a Multitude, (for so my Designs may be discovered before-hand) and one Penny of this Money shall not be bestowed but in sight of your own Committees. But where I shall send twenty thousand Pounds, or ten thousand Pounds, whether by Sea or Land, East or West, by Diversion, or otherwise, by Invasion upon the Bavarian or Emperor, you must leave that to your King.

Affuse

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¶. 12. James I.  
1624. Assure yourselves my Delay hitherto was upon Hope  
to have gotten it without a War. I held it by a  
Hair, hoping to have gotten it by a Treaty; but,  
since I see no Certainty that Way, I hope that God,  
who hath put it into your Hearts thus to advise me,  
and into my Heart to follow your Advice, will so  
bless it, that I shall clear my Reputation from Obloquy;  
and, in despight of the Devil and all his Instruments,  
shew that I never had but an honest Heart: And I  
desire that God would bless our Labours for the happy  
Restitution of my Children; and whosoever did the  
Wrong, I deserved better at their Hands.

Which Declaration being ended, the House was adjourned, according to Order, to the first Day of April.

On that Day the Lords read several public and private Bills; after which the Duke of Buckingham informed the House, ' That he had been to take a View of the Navy, according to his Place Account of the High Admiral. He told them likewise, That Preparations on the Part of Spain, he had certain Information from abroad, that the King of Spain had then in Readiness a far greater and stronger Navy than that in 1588: That, at Dunkirk, he had already built 100 flat Bottoms: That they had taken many of our Men upon our own Shores, and out of our own Harbours: Therefore he moved, ' That since the two Houses had agreed to give a Supply to the Assistance of this great Business in Hand, tho' the Grant thereof be not yet passed into an Act, that the same may be so handled as to be useful; which will not be, if the Time be now neglected, or this Month and the next overslipp'd. Wherefore the Duke further moved, That a Meeting might be instantly prayed with the Commons to propose to them, that certain monied Men might be dealt with, to disburse such a Sum as was requisite for the present Use, the Repayment of which to be secured by Parliament, out of the Subsidies intended in the Grant, according to what had been heretofore done in the like Cases. Concluding, That he doubted not but some would

would be found to disburse the same upon that Se- An. 22. James I.  
curity.' 1624.

A Message was immediately dispatched to the Commons to inform them, That the Lords had a Business of Importance to communicate to them, and therefore desired a speedy Conference. Their Answer was, That they would attend their Lordships Pleasure. The Lords desire a Conference in regard to the Supply.

The Duke of *Buckingham* acquainted the Lords, 'That the Spanish Ambassador, being lately at Court, his Majesty had declared to him the *Dissolution* of the *two Treaties*, and that he had sent a Dispatch into *Spain* concerning the same.' The Lords agreed, That these Matters be signified to the Commons at the intended Meeting.

The same Day, the Committee of Lords being return'd from the Conference, the House received a Message from the Commons, importuning, 'That they had taken the Proposition made to them, at the last Meeting, into serious Consideration; but, because many of their Members were not yet come to Town, and the Matter is of such Importance, they have deferred for a Time, to come to a Resolution; but, as soon as possibly they could, they would attend their Lordships with their Answer.'

*April 2.* This Day the Archbishop of *Canterbury* reported to the House, That, in a Committee appointed to examine the Stores and Ammunicions of War, some Speeches had past, the Day before, which concerned the Honour of a *Lord of that House*; and that the said Lord desired Examinations might be taken, upon Oath, for the clearing thereof. Whereupon the House ordered, That a Sub-Committee shou'd be constituted to take such Examinations, and the Witnesses to be sworn in Court. The Lords also ordered, That the following Officers of the Crown should be sent for, to be examined on Oath, relating to this Affair, viz. Sir *Edward Wardour*, Clerk of the Pells, Sir *Robert Pye*, Sir *Thomas Moulson*, Sir *Thomas Dallison*, Sir *Richard Morrison*, Sir *John Keye*, Sir *Arthur* The Lord Treasurer's Conduct aspersed. *III.*

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An. 22. James I. *Ingram, Sir Thomas Cook, Sir Thomas Morris Clerk  
1624. of the Ordnance, and Sir John Male.*

April 3. After reading some Bills, the Lords received a Message from the Commons to this Effect, ‘ That they desired a Conference with their Lordships about a Petition they had drawn up to be presented to his Majesty, touching Papish Recusants, to which they desired the Concurrence of that House.’ Hereupon a Committee was appointed, and, being returned, the Petition was read to the whole House; but their Lordships took Time to consider of it, before they would come to any Resolution about it.

The next Day this Business was resumed; and, to the end the Lords might more freely debate the Matter, the House was adjourned *ad Libitum*, the Lord Keeper removing to his due Place, on the Earls Bench: And the Preface to the Petition being again read, the Lords debated, Whether a short Induction was not fitter to be used, that the Reasons for the Petition might be a Part by itself, and not delivered at all, unless his Majesty demanded the same, as was delivered in the Advice to the King, the 5th of March last, to dissolve the two Treaties. The other Parts of the Petition being also read, it was debated, Whether any more was requisite to be desired of his Majesty than the Execution of the Laws now in Force against Recusants, lest it should be noised they were beginning a Persecution; but they came to no Resolution about it at this Time, only agreed to defer the further Consideration of it till next Day. The Petition itself, as drawn up by the Commons, follows in these Words:

The Commons  
propose a Petition  
against Recu-  
sants.

*May it please your Most Excellent Majesty,*

WE your Majesty’s most humble and loyal Subjects, the Lords and Commons in this present Parliament assembled, having, to our singular Comfort, received your princely Resolution, upon our humble Petition, to dissolve the  
two

two Treaties of the *Match* and of the *Palatinate*; An. 22. June. 1.  
and having, on our Parts, with all Alacrity and  
Readiness, humbly offered our Assistance to your  
Majesty to maintain the War which may ensue  
thereupon: Yet, withall, sensibly finding what  
Seditious and traitorous Positions those Incendia-  
ries of *Rome*, and profess'd Engines of *Spain*, the  
Priests and Jesuits, infuse into your natural-born  
Subjects; what Numbers they have seduced, and  
do daily seduce, to make their Dependance on the  
*Pope of Rome* and King of *Spain*, contrary to their  
Allegiance to your Majesty their Leige Lord;  
what daily Resort of Priests and Jesuits into your  
Kingdoms; what Concourse of *Papish* Recusants,  
much more than usual, is now in and about the  
City of *London*; what Boldness, yea, what In-  
solvency they have discovered out of the Opinion  
conceived of their foreign Patronage; what pu-  
blick Resort to Masses, and other Exercises of the  
*Papish* Religion, in the Houses of foreign Ambas-  
sadors there is daily, to the great Grief and Of-  
fence of your good Subjects; what great Pre-  
parations are made in *Spain*, fit for an Invasion,  
the Bent whereof is as probable to be upon some  
Part of your Majesty's Dominions as upon any  
other Place; what Encouragement that may be  
to your Enemies, and the Enemies of your  
Crown, to have a Party, or but the Opinion of  
a Party, within your Kingdoms, who daily in-  
crease and combine themselves together for that  
Purpose; what disheartening of your good and  
loving Subjects, wher they shall see more Cause  
of Fear from the f- le hearted Countrymen at  
home, th n from thir professed Adversaries a-  
broad; what apparent Dangers, by God's Provi-  
dence and your Maj. ey's Willom and Goodness,  
they have very lately esc ped, whch the longer  
Continuance upon the e Treaties, upon such un-  
fitting Conditions, torment ed by your own ill-as-  
sected S. je is, would surely have drawn upon  
your Majesty, and your State; do, in all hum-  
bleness,

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An. 22. James I. 1614. bleness, offer unto your Sacred Majesty these  
their humble Petitions following:

I. That all Jesuits and seminary Priests, and all others, having taken Orders by any Authority derived from the See of *Rome*, may, by your Majesty's Proclamation, be commanded forthwith to depart out of this Realm, and all other your Highness's Dominions; and neither they, nor any other, to return or come hither again, upon Peril of the severest Penalties of the Laws now in force against them; and that all your Majesty's Subjects may hereby also be admonished not to receive, entertain, comfort, or conceal any of that viperous Brood, upon Penalties and Forfeitures, which, by the Laws, may be imposed upon them.

II. That your Majesty would be pleased to give straight and speedy Charge to the Justices of Peace in all Parts of this Kingdom, that (according to the Laws in that Behalf made, and the Orders taken by your Majesty's Privy Council heretofore for Policy of State) they do take from all *Popish Recusants*, legally convicted, or justly suspected, all such Armour, Gunpowder, and Munition of any Kind, as any of them have either in their own Hands, or in the Hands of any other for them, and to see the same safely kept and disposed according to the Law, leaving for the necessary Defence of their House and Persons, so much as by the Law is prescribed.

III. That your Majesty will please to command all *Popish Recusants*, and all others, who, by any Law or Statute, are prohibited to come to the King's Court, forthwith, under Pain of your heavy Displeasure, and severe Execution of your Laws against them, to retire themselves, their Wives, and Families, from or about *London*, to their several Dwellings, or Places, by your Laws appointed; and there to remain confined within five Miles of their Dwelling-Places, according to the Laws of this your Realm: And, for that

" Pur-

\* Purpose, to discharge all bypast Licences granted unto them for their Repair thither; and that they presume not any Time hereafter to repair to London, or within ten Miles of London, or to the King's Court, or to the Prince's Court wheresoever.

IV. \* That your Majesty would forbid and restrain the great Resort and Concourse of your own Subjects, for the hearing of Mass, or other Exercises of the *Romish* Religion, to the Houses of foreign Ambassadors, or Agents, residing here, for the Service of their several Princes or States.

V. \* That where of late, in several Counties in this Realm, some have been trusted in Places of Lord Lieutenants, Deputy-Lieutenants, Commissioners of Oyer and Terminer, Justices of Peace, and Captains of their Countries, which are either *Popish* Recusants or Non-Communicants, by the Space of a Year last past, or which do not usually resort to the Church to divine Service, and can bring no good Certificate thereof, that your Majesty would be pleased to discharge them from these Places of Trust, by which they have that Power in the Country where they live, as is not fit to be put into the Hands of Persons so affected.

VI. \* That your Majesty would be pleased, generally, to put the Laws in due Execution, which are made, and stand in Force against *Popish* Recusants; and that all your Judges, Justices, and Ministers of Justice, to whose Care these Things are committed, may, by your Majesty's Proclamation, be commanded to do their Duty therein.

VII. \* That, seeing we are thus happily delivered from that Danger which these Treaties, now dissolved, and that Use which your ill-affected Subjects made thereof, would certainly have drawn upon us; and cannot but foresee and fear lest the like may hereafter happen, and inevitably bring such Peril to your Majesty's Kingdoms; we are most humble Suitors to your gracious Majesty, to secure the Hearts of your good Subjects

\* by

An. 22. James I.  
1624.

An. 22. James I. 1624. ‘ by the Engagement of your Royal Word unto them, that, upon no Occasion of Marriage or Treaty, or other Request in that Behalf from any foreign Prince or State whatsoever, you will take off or slacken the Execution of your Laws against Popish Recusants.

‘ To which our humble Petitions, proceeding from our most loyal and dutiful Affections toward your Majesty, our Care of our Country’s Good, and our confident Persuasion that this will much advance the Glory of Almighty God, the everlasting Honour of your Majesty, the Safety of your Kingdom, and the Encouragement of all your good Subjects, we do most humbly beseech your Majesty to vouchsafe a gracious Answer.’

Mr Rusbworth introduces this Petition, in his *Collections*, with the following Letter from King James to Secretary Conway about it (u).

The King’s Letter on that Occasion. *I* Doubt not but you have heard what a stinging Petition against the Papists, the Lower House have sent to the Higher House this Day, that they might jointly present it unto me. Yet, know, my firm Resolution is not to make this a War of Religion; and, seeing I would be loth to be Cony-catched by my People, I pray stay the Post that is going to Spain, till I meet with my Son, who will be here To-morrow Morning. Do it upon Pretext of some more Letters ye are to send by him: And, if he should be gone, hasten after him to stay him upon some such Pretext. And let none living know of this as you love me. And, before Two

(u.) It is Pity this Letter is not dated; because then the Fact of stopping the Spanish Dispatches, mentioned in it, might have been fully ascertained by the Authority of the Journals. It appears by these, that the Duke of Buckingham had notified to the House of Lords the King’s Declaration of the Breach with Spain to their Ambassador, and his having sent away the Dispatches to that Court on the first of April, two Days before the Commons had desired a Conference with the Lords about their Petition. And tho’ Mr Wilson has dated it the third of April, yet neither of these Authors give us the least Intimation where they had the Copy of a Letter wrote with so great an Air of Secrecy and Trust.

## Of ENGLAND. 127

*Two in the Afternoon To-morrow, you shall, without fail, hear from me. Farewel.*

An. 21. James I.  
1624.

JAMES R.

When the Lords had heard the above mentioned Petition read a second Time, they dispatched Messengers to the Commons to inform them, That they had taken it into their Consideration, and did hope to be ready by the next Day, to send to them for a Conference.

It now appears who the Noble Lord was whose Conduct was objected to in Yesterday's Proceedings ; for, some Orders being made this Day, relating to the Sittings of the Committee on Migrations, Stores, &c. We are told, by the *Journal*, the Lord Treasurer stood up and said, *That he would desire no Favour but Expedition ; and, when they had done, his Lordship would shew a dangerous man.* The Lord Treasurer complains of a Plot against him. *Plot, Conspiracy and Combination against him ; which, if it was suffered, no Man would be in Safety in his Place.*

April 6. Some public and private Bills being read, the Archbishop of Canterbury reported from the Committee, on the Petition against Recusants, &c. That they had modelled another Petition out of the former, which the Commons desired might be presented to his Majesty, with a short Introduction : That their Lordships had thought fit to leave out the whole Preamble of the other, with the Reasons for the said Petition, and only to be delivered if the King should demand it. Agreed to send a Message to the Commons, That the Lords are ready to enter into a Conference with them presently, if it stand with their Convenience. Agreed also to inform the Commons, That this House hath not altered the Substance of the Petition from theirs, but only contracted the same : And altho' their Lordships have left out the Reasons in the Preamble, yet they think fit to have them in Readiness, if his Majesty require any.

But to make an End of this Business, because an Affair of a different Nature is coming on, which will

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An. 22. James I. will require a regular Progression :—The Lords and  
1614. Commons, after many Conferences about it, at length agreed upon the following Petition instead of the former.

*May it please your M<sup>t</sup> Excellent Majesty,*

The joint Petition  
on both Houses  
for Execution of  
the Laws against  
Jesuits, &c.

IT having pleased your Majesty, upon our humble Suit and Advice, to dissolve both the Treaties, to our great Joy and Comfort, we your Majesty's most faithful and loyal Subjects, the Lords and Commons assembled in Parliament, do, in all Humbleness, offer to your Sacred Majesty these two Petitions following :

First, That for the more Safety of your Realms, and better keeping of your Subjects in their due Obedience, and other important Reasons of State, your Majesty will be pleased, by some such Course as your Majesty shall think fit, to give present Order, That all the Laws be put in due Execution, that have been made, and do stand in Force against Jesuits and Seminary Priests, and all others that have taken Orders by Authority derived from the See of *Rome*, and generally against all *Popish* Recuants ; and as for discharging them, that it may be according to the Laws, and according to former Acts and Directions of State in the like Case : And yet, that it may appear to all the World, the Favour and Clemency your Majesty useth towards all your Subjects, of what Condition soever ; and to the Intent the Jesuits and Priests, now in the Realm, may not pretend to be surprized, that a speedy and certain Day may be prefix'd by your Majesty's Proclamation, before which Day they shall depart out of your Realm, and all other your Highness's Dominions ; and neither they nor any other, to return or come hither again, upon the severest Penalties of the Laws now in Force against them, and that all your Majesty's Subjects may be thereby also admonished not to receive, entertain, comfort, or conceal any of them, upon

the Penalties and Forfeitures which, by the Laws, An. 22. James I  
 may be imposed upon them. 1604.

*Secondly,* Seeing we are thus happily delivered from that Danger, which these Treaties, now dissolved, and that Use which your ill-affected Subjects made thereof, would certainly have drawn upon us; and yet cannot but foresee and fear least the like may hereafter happen, which will inevitably bring such Perils into your Majesty's Kingdoms, we are most humble Suitors to your gracious Majesty, to secure the Hearts of your good Subjects, by the Engagement of your Royal Word unto them, That, upon no Occasion of Marriage, or Treaty, or other Requisite in that Behalf, from any foreign Prince or State whatsoever, you will take away or slacken the Execution of your Laws against Jesuits, Priests, and Papist Recusants. To which our humble Petitions, proceeding from our most loyal and dutiful Affections towards your Majesty, our Care of our Country's Good, and our own confident Persuasion that these will much advance the Glory of Almighty God, the everlasting Honour of your Majesty, the Safety of your Kingdoms, and the Encouragement of all your good Subjects, we do most humbly beseech your Majesty to vouchsafe a gracious Answer.'

This second Petition was presented to the King by a Committee of both Houses, on the 23d of April; and, the next Day, the Lord Archbishop of Canterbury reported it to the House of Lords; and that, after his Majesty had heard the same read, he gave them the following most gracious Answer to it.

My Lords and Gentlemen,

*Although I cannot but commend your Zeal in offering this Petition to me; yet, on the other Side, I cannot but hold myself unfortunate, that I should be thought to need a Spur to do that which my Conscience and Duty binds me unto. What Religion I am of my Books do declare, my Profession and Behaviour.*

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An. 22. James I. doth shew ; and, I hope in God, I shall never live to  
1624. be thought otherwise ; sure I am I shall never deserve it : And, for my Part, I wish it may be written in Marble, and remain to Posterity as a Mark upon me, when I shall swerve from my Religion ; for he that doth dissemble with God is not to be trusted of Men.

My Lords, for my Part, I protest before God, that my Heart hath bled when I have heard of the Increase of Popery : God is my Judge, it hath been such a great Grief to me, That it hath been as Thorns in my Eyes, and Pricks in my Sides ; and so far I have been, and shall be from turning any other Way. And, my Lords and Gentlemen, you shall be my Confessors, that if I knew one Way better than another to hinder the Growth of Popery, I would take it ; for, knowing what I do, and being persuaded what I am, I could not be an honest Man and do otherwise (x). And this I may say further, That if I be not a Martyr, I am sure I am a Confessor : And, in some Sense, I may be called a Martyr, as, in Scripture, Isaac was persecuted by Ishmael by mocking Words ; for never King suffered more by ill Tongues than I have done, and, I am sure, for no Cause ; yet I have been far from Persecution, for I have ever thought that no Way more encreased any Religion than Persecution, according to that Saying, Sanguis Martyrum est Semen Ecclesiæ.

Now, my Lords and Gentlemen, for your Petition, I will not only grant the Substance of what you crave, but add somewhat more of my own ; for the two Treaties being already annulled, (as I have declared them to be) it necessarily follows of itself that which you desire ; and therefore it needs no more, but that I do declare, by Proclamation, (which I am ready to do) that all Jesuits and Priests do depart by a Day ; but it cannot be, as you desire, by our Proclamation, to be out of all my Dominions ; for a Proclamation here extends but to this Kingdom.

This

(x) In Rushworth it runs thus : One Way or other it hath been my Desire to binder the Growth of Popery ; and I could not be an honest Man if I should have done otherwise.

## Of ENGLAND. 131

This I will do, and more; I will command all my Judges, when they go their Circuits, to keep the same Courses, for putting all the Laws in Execution against Recusants, as they were wont to do before these Treasies; for the Laws are still in Force and were never dispenced with by me: God is my Judge, they were never so intended by me; but, as I told you in the Beginning of the Parliament, you must give me Leave, as a good Horseman, sometimes to use the Reins, and not always to use the Spurs: So now there needs nothing but my Declaration; and, for the disarming of them, that is already [provided for] by the Laws, and shall be done as you desired: And more, I will take Order for the shameful Disorder of the resorting of my Subjects to all foreign Ambassadors; for this I will advise with my Council how it may be best reformed: It is true that the Houses of Ambassadors are privileged Places; and tho' they cannot take them out of their Houses, yet the Lord Mayor and Mr Recorder of London may take some of them as they come from thence, and make them Examples. Another Point I will add concerning the Education of their Children; of which I have had a principal Care, as my Lord of Canterbury, and the Bishop of Winchester, and other Lords of my Council, [and, indeed, all my Council] can bear me witness, with whom I have advised about this Business; for, in good Faith, it is a Shame their Children should be bred here, as if they were [brought up in Madrid or] at Rome: So I do grant not only your Desire, but more. I am sorry I was not the first Mover of it to you; but had you not done it, I would have done it myself.

Now, for the second Part of your Petition, you have here given me the best Advice in the World; for it is against the Rule of Wisdom that a King should suffer any of his Subjects to be holding and depending on any other Prince than himself; for what hath any King to do with the Laws and Subjects of another Kingdom (3)? Therefore assure yourselves,

(3) In Rusbworth it is: Transgress the Laws by the Inter-  
view Princes.

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An. 22. James I. selves, that, by the Grace of God, I will be careful  
1624. that no such Conditions be foisted in upon any other  
Treaty whatsoever; for it is fit my Subjects should  
stand or fall by their own Laws.

April 8. We now begin with an Affair of a very  
Proceedings against the Earl of Extraordinary Nature, wherein one of the principal Officers of the Crown was charged with very  
High Treasur. high Crimes and Misdemeanors; which Instance,  
with some foregoing, evidently shews, That no  
Man was then so great in himself, or so powerfully  
screened by the Court, but a Parliamentary Enquiry  
would reach him. We shall make no Apology for  
the Length of this Trial, since the Rarity of it, and  
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## 132 The Parliamentary HISTORY

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Proceedings against the Earl of Northumberland, Lord pal Officers of the Crown was charged with very High Treasurier, high Crimes and Misdemeanors; which Instance, with some foregoing, evidently shews, That no Man was then so great in himself, or so powerfully screened by the Court, but a Parliamentary Enquiry would reach him. We shall make no Apology for the Length of this Trial, since the Rarity of it, and extraordinary Incidents in the Proceedings therein, must recommend it to the Public; especially as neither *Wynne* nor *Rushworth* have given us one single Word of this Matter, nor any other Historian, excepting *Sr William Dugdale*, by a slight Note upon it in his *Baronage of England*.

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## 134 The Parliamentary HISTORY

AN. 22. James I.  
1604. But, before that was done, the Lord Keeper signified to the House, that he had received a Petition from Sir Thomas Dallison, delivered unto him by a Member of this House, who desired it might be read before the said Report. Which Petition ran in these Words:

To the Right Honourable the Lords Spiritual and Temporal in Parliament assembled.

The Humble Petition of Sir Thomas Dallison, Son of Sir Roger Dallison, Knt. and Bart. deceas'd.

Whereas there was an Examination, before a Committee of your Honours, concerning the Lands of his said Father, compounded for with my Lord-Treasurer; whereupon there is an Account given to your Lordships, by one Mayle, a Scrivener, on his Lordship's Behalf, of 26,000 l. or thereabouts, to be given by the said Lord-Treasurer for the said Lands, as Mayle reported.

Now, for that this Petitioner and his Mother were forced out of their Estate therein by his Lordship for a very small Matter, by colour of his Majesty's Extent, and is able to make appear to your Lordships that there hath not been much more than half the Sum of 26,000 l. really, either in Money or Money's Worth, given for the same by his Lordship; and for that the said Lands are of far greater Value; and this Petitioner ought, in all Equity, to have the Benefit of compounding his Father's Debts, and the Benefit that should accrue by the Surplusage of the Estate:

He most humbly desirereth your Honours to stay the Report, and grant your Petitioner a Copy of the Account before the same pass from the Lords of the Committee; and that your Petitioner may be allowed to make such just Exceptions thereunto, as to the honourable Lords of the Committee shall seem reasonable. And he shall ever pray for your Honours, &c.

THOMAS DALLISON.

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A Motion was made, Whether, by the Orders An. 22. James I.  
of the House, the Lord-Treasurer may be present      1614.  
when the *Report* is read; because the same con-  
cerns his Honour? It was agreed, That he might be  
present, at the first Reading, but not when the  
same shall be debated by the House.

Then the Attorney-General read the Report *in  
hoc Verba*:

*The STATE of the BUSINESS referred to the SUB-  
COMMITTEE for MUNITIONS, &c.*

ON the 28th of May, 6 Jac. 1608. a Privy-  
Seal was directed to the Lord Treasurer and  
Under-Treasurer of the Exchequer, for the Time  
being, for the issuing out such Sums of Money  
not exceeding 6000 l. *per Annum*, as by Quarter-  
Books should appear to be due to the Office of  
Ordnance, for Wages or Provisions.

'The Allowance was duly paid untill the 1st  
of April 1614; but then, or shortly after, by the  
Default of Sir Roger Dallison and the Officers of  
the Exchequer, sundry Payments were unorderly  
made, whereby the Office was unfurnished; and  
*Dallison*, who had receiv'd those Moneys and not  
employ'd them as he ought, became indebted in  
great Arrears to his Majesty.'

'Upon Complaint whereof, in November 1617,  
his Majesty made a Reference to divers Lords of  
the Council; who, in December 1617, return'd un-  
der their Hands a Proposition of Supply, estimated  
at 54,078 l. 8 s. and 8 d.'

'In February 1619, his Majesty's Commission  
was awarded to the Commissioners for the Navy,  
whereof the now Lord-Treasurer was one of the  
chief, to survey the Office of Ordnance: And they,  
in July 1620, made a Return hereof to the Council,  
with their Opinions how the Magazines might be  
furnished with a present Supply of 13,640 l. 14 s.  
and 2 d. how the ordinary Allowance of 6000 l.  
*per Annum*, might be reduced to 3000 l. and how,  
by cutting off many unnecessary Charges, and  
other

**A. 23. James I.** other Means, his Majesty might have yearly near 1624. 10,000 l. And those Propositions made by them, in Michaelmas Term 1620, receiv'd Allowance from the Lords, and, at last, from his Majesty himself.'

' In December 1620, the Lord Viscount Mandeville became Treasurer; and, in May 1621, a Privy-Seal was drawn by the Officers of the Ordinance, for settling the said 3000 l. yearly, and for Payment of the said 13,640 l. 14 s. and 2 d. But the same, being consider'd of by the Commissioners of the Navy, was rejected, because it swerved from their Propositions; and so, the Lord Mandeville leaving the Treasurership about Michaelmas 1621, nothing was done. In October 1621, the Earl of Middlesex became Lord-Treasurer, and having continued in that Place two Years and six Months, in all that Time none of the three Establishments, viz. that of 6° Jacobij by the dormant Privy Seal; that of 1617 by the Lords; nor that of the Commissioners of the Navy in 1620, have been observ'd; whereas, if that of the Commissioners of the Navy (being the least chargeable to his Majesty, and in which the Lord-Treasurer himself was principal Agent,) had been observ'd, it is conceiv'd that the Stores had been in much better Case, and a Course had therein been settled to have retrench'd a needless Charge of near 10,000 l. per Annum, as aforesaid.'

' And wherers, in April 1621, a Contract was made with Mr. Evelyn, to serve his Majesty yearly with 80 Lasts of Powder, at 7 d. per Pound: The Want of the Payment of about 500 l. a Month, hath depriv'd his Majesty of the Benefit of that Contract; which, for twelve Months of the Time since that Contract, hath been forborn for Want of Payment; which twenty Months Proportion, if it had been serv'd in, there would have been in Store at this present above 260 Lsts of Powder, besides o l. lts o S. t-Petre, which would have made 80 Lsts of Powder more: But, by the Want of

of due Payment, not only the Store is uns furnish'd An. 22. James 1.  
1624. of so considerable a Proportion ; but his Majesty, it is conceived further, hath lost the Benefit of 3 d. in every Pound of 80 Lasts, which hath been sold to the Subject, amounting to 4050 l. or therabouts.

And whereas it was intimated, that the Lord Treasurer hath made other Payments, less import ing the Public, to the said Office of Ordnance for old Arrears ; which have a Dependency upon another Point referr'd to the Sub-Committees, touch ing the Lands and Debts of Sir Roger Dallison : It appears that 28 July 1621, which was about two Months before the Earl of Middlesex became Treasurer, he made an Agreement with the Officers of the Ordnance for buying their Extent and Interest in the Lands of Sir Roger Dallison and Sir Thomas Mounson, which they had by Assignment from his Majesty, for a Debt of 13,062 l. and thereby his Lordship did agree, so soon as conveniently he might, to do his best Endeavour to procure from his Majesty a certain Assignment and Order for the Payment of the Sum of 8000 l. to the Use of the Servants and Creditors of the Office of Or dnance, before the last Day of November next, for and towards the Payment and Clearing of all such Sums of Money, as, by the Pay-Books of the said Office, should appear to be due unto them, over and above the said Sum of 13,062 l. And his Lord ship was, before the same last of November, to pay them 1062 l. and, at the Annunciation, in the Year 1623, 500 l. and afterwards, 500 l. half-yearly, till the 13,062 l. were paid : But his Lordship, before the prefix'd last of November, becoming Lord Treasurer, did not procure any such Order or Assignment from his Majesty ; but, by Warrant of the first-mentioned day in Privy-Seal of 6° Ja cobi, d 1 in the first Michaelmas Term after he became Treasurer, and the two Terms of Easter and Michaelmas following, (being all within a little more than a Year after his becoming Treasurer) pay to them 9131 l. of Arrears due to the Office ; and

¶. 22. James I. and hath, at other Times since, paid to them other  
1624. Sums; which make up the former Payment of  
19,034 l. 8 s. 11 d. whereof was paid since the  
Beginning of this Parliament 2480 l. 11 s. 2 d.  
And touching the Payment, which, by the afore-  
said Agreement, his Lordship was to make unto  
them of his own Money, it appeareth that, upon  
a second Payment, those Payments due from him  
were discharged; and, in lieu thereof, his Lordship  
assign'd to them his Part in the Petty-Farms of the  
Wines and Currants; which they estimated to be  
worth for the first two Years 1000 l. *per Annum*,  
and for seven Years after 1400 l. *per Annum*, and  
odd Pounds. It also appeareth, that about the same  
Time when he made the said Agreement with the  
Officers, he bargained with Sir *Thomas Mounson* for  
his Estate in *Dallison's Lands*; for which he agreed  
to give him 3000 l. in Money, the making of six  
Baronets, and some fit Suit from his Majesty when  
Sir *Thomas* could find it. This 3000 l. was duly  
paid by his Lordship; and then it was agreed that  
the Baronets were not to proceed, but, in lieu  
thereof, his Lordship gave way to a Suit, which  
Sir *Thomas* made to his Majesty, for the Benefit of  
compounding with the Copy-holders of *Wakefield*,  
for reducing their Fines to a Certainty; which his  
Lordship did estimate at 2000 l. and promised him  
further Recompence; yet Sir *Thomas Mounson* af-  
firms, He had neither Benefit thereby, nor further  
Recompence. In this Bargain, nevertheless, there  
are some Things favourable for the Lord-Treasurer,  
especially two. *Firstly*, That, by this Bargain,  
his Majesty is freed from all future Demands from  
the Officers of the Ordnance, concerning the Debt  
of 13,062 l. owing by *Dallison*; which his Majes-  
ty, upon the assigning those Extents, had cove-  
nanted to satisfy, in case the Incumbrances should  
hinder them of Satisfaction; and this appeareth to  
be true. *Secondly*, Some Intimation hath been,  
that this Bargain was no Bargain of Advantage,  
but of Loss to the Lord-Treasurer; and there-  
fore

fore not probable that he should have undertaken, An. 22. James I.  
 but for his Majesty's Service, and the Good of the  
 Office. And touching this Point, it appears, by  
 the good Testimony of Sir *Thomas Dallison*, that,  
 before the Troubles of his Father, the Lands and  
 Leases being of about sixty Years to come, bought  
 by the Lord-Treasurer, were rented at 1500 l. *per Annum*, or thereabouts; whereof the Lease-Lands  
 are about 300 l. *per Annum*: And that, besides the  
 Recompence given to the Officers of Ordnance and  
 Sir *Thomas Mounson*, there is allow'd to him and  
 his Mother, for clearing their Interests, 200 l. *per Annum* for their Lives: But Sir *Arthur Ingram* of-  
 ferseteth to lett the whole, for forty or fifty Years, or  
 any other reasonable Time, at 1100 l. *per Annum*.  
 And it appears, by the Testimony of him and Mr.  
*Mayle*, that the Lands were incumbred with an  
 Annuity of 200 l. *per Annum* to Mr. *Beddingfield*  
 for Life; for which, and the Arrears, about 1200 l.  
 hath been given, by way of Computation; and  
 with 140 l. to Mr. *Smith* for Life, for which, and  
 the Arrears, hath been given, by way of Compo-  
 sition, about the Value of 800 l. and with an Af-  
 surance, on the Part of Sir *Richard Smith* and Sir  
*John Davy*, for which is to be given 3000 l. be-  
 sides many other Incumbrances not yet brought in.  
 But the Certainty thereof appears not, nor that  
 any of them, of any considerable Value, are pre-  
 cedent to Sir *Roger Dallison's* becoming Officer.'

This Report being read, the Lord Treasurer put the  
 House in mind of the Imputation laid on him by Sir  
*Robert Pye*, some Time since, touching the Extent  
 of Sir *Roger Dallison's* Lands; and that therein they  
 had desired Witnesses to be sworn and examined,  
 and he hoped he had satisfied their Lordships  
 in that Cause. But, as for any other Matter re-  
 lating to the Ordnance, Musters, &c they never  
 came into his Power, . . . . what Answer to  
 make; whether he might have a Copy  
 thereof, in Writing, with Liberty to examine his  
 Wit-

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*An. 22. James I.* Witnesses, and he would answer the same fully in  
1624. " Writing. He also desired that his Actions might not be examined by Pieces, but totally and together; and then he doubted not but that his Care, touching the Store for Munitions, &c. would appear to be such that their Lordships will clear his Honour therein. This being said, the Lord Treasurer left the House whilst the Matter of the Report was in Debate.

After some Time spent therein, it was agreed, That another Committee should be appointed to draw up the Heads of a Charge against the Lord Treasurer, out of a Brief of the last *Report*, and *Examinations* taken by the former Committee.

Nothing was done by the Lords (except reading and passing several Bills, of no Consequence to these Enquiries) untill the 15th; when a Message was brought from the House of Commons by the Lord *Cavendish*, and others, to this Effect;

'That whereas they had received divers and sundry Complaints against a Member of that House, which ate of high and grievous Nature, they desire a Conference thereon to impart the same to their Lordships.' This was agreed to by the Lords; the Place, the Great Hall at *Whitehall*; and the Time, at Three that Afternoon.

*April 16.* The Lord Keeper, according to Order, reported the said Conference held the Day before at *Whitehall*, between the two Houses, in this Manner;

At this Conference Sir *Edward Coke*, on the Behalf of the Commons, shewed, "That the Report of a Conference between Knights, Citizens and Burgeses, assembled in Parliament, are always elected, the Knights by the both Houses on a Complaint against the Lord Treasur. Counties, the Citizens by the Cities, and the Burgeses by the Burroughs of this Kingdom: That your Highness and my Lords do enjoy their Places by Blood and Descent; some of your Lordships by Creation, and the Lords Ecclesiastical by Succession; but the Members of the House of Commons by free Election: They appear for Multitudes, and bind Multitudes, and therefore they have no Proxies;

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Proxies ; for all the People are present in Parliament by Persons representative ; and therefore, by the Wisdom of the State, and by Parliament Orders, the Commons are appointed the Inquisitors General of the Grievances of the Kingdom ; and that for three Causes.

An. 22. James I.  
1624.

‘ 1. Because they have best Notice from all Parts thereof.’

‘ 2. They are most sensible it is not your Lordships, but the weakest Commons that go to the Walls.’

‘ 3. As, in a natural Body, not the Disease, but the Neglect of Cure killeth ; *Non Morbus sed Morbi neglecta Curatio interficit* ; so the long Delay of Grievances, *Corpus Politicum interficit* ; and this would happen if they were not found out by the Commons.’

‘ In their Inquisition they met with, what they scarce ever found before, many great Exorbitancies and heinous Offences, against a Member of this House, the Earl of Middlesex, the Lord Treasurer ; and they found him guilty after a strange Manner ; for, in all their Housie, not one Man said No, but concluded against him *Nemine contradicente*.’

That Sir Edward Coke said further, ‘ The House had appointed him to present three Enormities to their Lordships, much against his Mind ; others being far more sufficient, as well in regard of his great Years, as of other Accidents ; yet, he said, he would do it truly, plainly and shortly.’

‘ There were two great Offences in general, which they had distributed into two Parts ; one of which should be represented by him, and the other by his Colleague. That which he should speak to was to consist of two Charges.’

‘ The first, Gross and sordid Bribery. The second, For procuring the good Orders of the Court of Wards to be altered : For that this was done by his principal Procurement, to the Deceit of the King, Oppression of the Subject, and the Enriching of his own Servants. He would begin with presenting to their Lordships the Bribery. Here  
he

An. 22. James I. he craved Favour if he should seem long in touching  
 1624. some Circumstances; for Circumstances to Things,  
 he said, were like Shadows to Pictures, to set them  
 out in fuller Representations; but herein he pro-  
 mised to observe *Scripsi Temporis.*

The first Part of  
 the Charge a-  
 gainst him open'd  
 by Sir Edward  
 Coke.

**B**Y the Lord Treasurer's Privity (for it con-  
 cern'd his Skill properly which was Merchan-  
 dize) a Lease of the Subsidy and Imposts of the  
*French Wines*, was lett to the Farmers of the Petty  
 Farm, *Anno 17. Jac.* at 44,000 l. yearly Rent,  
 and for 50,000 l. Fine; with a Covenant from  
 the King, that no more Impost should be laid du-  
 ring their Lease; because that they knew that the  
 Impost would overthrow their Trade.

‘ Yet the Farmers were not content with this  
 Covenant for their Money and their Trade, (for  
 Money is their Plow, and Trade their Life) they  
 desire the Addition of the King's Word for this  
 Covenant. Accordingly they had Access to the  
 King, and the Covenant was confirmed and re-  
 peated by him, *Verbo Regio*, in the Presence of the  
 Lord Treasurer. Then they thought themselves  
*in Tuto*, and that they did *in Portu navigare*, free  
 from all Storms and Tempests.’

‘ But behold, *Anno 1621*, the first Thing my  
 Lord did in his Office, was the laying of an extream  
 Impost of 3 l. per Ton upon the *French Wines*,  
 which the King, by reason of his Covenant, could  
 not, and, by reason of his Word, would not surely  
 do.’

‘ This Imposition was against Justice, the Co-  
 venant, and the Honour of the King. The King,  
 surely, had he been rightly inform'd, would never  
 have done it.’

‘ Upon this the Trade sank, and they became  
 Suitors to his Lordship for Relief, for ten Months  
 together; but with no Success.’

‘ In *Michaelmas, 1622*, they petitioned his Lord-  
 ship, that the Trade was overburdened, and them-  
 selves quite undone. It is a Rule, that a Commo-  
 dity overburdened enricheth not the King, but  
 quite’

quite destroyeth the Trade ; but hereof they have no Success.' An. 22. James I.  
1604.

' Then they prefer a Bill of Right against the King in the Exchequer, because of the Breach of Covenant : But to this they could obtain no Answer in Michaelmas Term. The King's Attorney knew well enough of the Bill, but could not for his Heart devise an Answer for it.'

' In December 22, 1622, the Term is out, they are out of their Money, and the Trade is gone. They appeal, therefore, to the Fountain of Justice, the King's Majesty. The King is very gracious to them, and said, God forbid that any Man should lose by him. He knew nothing of this. It was the Lord Treasurer's Act and Device. And so his Majesty allowed them a Deduction of 9500 l. to be made to them in nine Years Time. Well, Verba sunt base ; these were but good and gracious Words, but filled not their Purses : They must have a Warrant from the Lord Treasurer to put this Favour of the King's into a public Act ; and this they could not obtain from December to the End of June. The Men understand themselves very well, and look about them how this Stay comes : One of them tells another, The Business sticks, my Lord looks for somewhat : And the Man was in the right, for so the Sequel proved.'

' Five hundred Pounds Bribe was paid to Jacob for my Lord's Use, and straightway all was well ; the Warrant went current, and all was passing well.'

' One Thing remarkable : This was taken out of the Petty Farms, set down in their monthly and yearly Books, and call'd a Gratuity *speciosaque Nomina Culpa*. Some great Space after this, there was a Voice of a Parliament (Oh ! said Sir Edward, Parliaments work wonderful Things). Then the Lord Treasurer begin to cast a Circle, and fall to his conjuring. He calls upon Jacob, and commands him to transfer it to the Great Farm. Here was observed, That *Suppresso Veri* is, in Law, an Argument of Guilt.'

' Here

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An. 12. James I. 1624. ‘Here Sir Edward also observed, (in a Parenthesis) That it is a blessed Thing of those that love Parliaments; and that surely this Lord, of all others, loved them not; because he cast himself into dark Mists, when he should meet them; *Nescio quid Peccatis portat ista Purgatio.* This argues much Guiltiness.’

‘Then he nominated his Witnesses; which, he said, were without Exception.’

‘This Bribe is proved by *Hide, Daws, Bishop,* and by *Abraham Jacob:* The last is a Witness with a Witness.’

‘For *Jacob* blanch’d his Bribe as well as he could, and was taken in three notorious Falsities.’

1. ‘Being charged, that the Money was delivered to him by *Hide*, he vowed he had never received it; yet, being confronted with *Hide*, he confess’d it:—There was one.’

2. ‘He pretended he had received the Money, but gave his Bond for it. *Hide* affirming to his Face, the Bond was for other Money, and no Bond at all for this; then he likewise confessed this:—There were two.’

3. ‘He said he never had any Warrant to enter the same in the Petty Farm; yet, afterwards, he avowed he had:—And this is the third Falsity.’

‘Here Sir Edward observed, That *Jacob* was my Lord’s necessary Creature and petty Chapman, and his Son that was his Secretary; and, because he was a *Jacob*, that is, a Supplanter, he desired their Lordships to take good care of him.’

‘About the Beginning of this Parliament my Lord sent for this *Jacob*; ask’d him, If he had enter’d this Money in the Petty Farm? he said, Yea. Then said my Lord, Go about it presently, and see that the Cocquets, and all Things else, be supprest in the Petty Farms, and that this Money be remov’d to the Great Farm; for I would have all hid and supprest. Here Sir Edward observed, That certain Bribery is like *Adam*, and would fain get some Eg-Leaves, if it could tell but where to gather them.’

‘Upon

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\* Upon the Delivery of this Charge (as was de-  
An. 22. June 1.  
lired by his Friends) to the Lord Treasurer, they  
of the House of Commons expected an Answer of  
some rare Wit; for so this Nobleman was reputed  
in that House: But his Lordship deceived their Ex-  
pectation; for he declared it was utterly, in every  
Point, he would not say false, but surely untrue.'

' Four Things he denied as he was a *Christian*,  
and these were all directly proved and made good  
against him.'

' And so much was delivered against the first  
Bribe. The second Bribe was of a strange Strain:  
And both these Bribes were received by him in the  
Quality of a Treasurer.'

' The Farmers of the Great Customs were to  
renew their Farms, and put in Security of 48,000*l.*  
Rent, July 29, 1622.'

' Here Sir Edward said he would not enlarge  
himself; for the Business lay in a narrow Room.  
The Bribe is the Point.'

' My Lord liked the Sureties well; but some of  
them fell off, and my Lord would not accept of  
the rest; and 7500*l.* of the Rent was reserved for  
a Year and a Quarter. After Delay of their Lease,  
and 500*l.* in Gold paid unto him by the Hands of  
*Jacob*, then the Security formerly rejected was now  
accepted: Which Act of his Lordship the Knight  
confuted by this Syllogism.

' The Sureties were sufficient, or insufficient; if  
sufficient, the Bribe was too much, and the Farmers  
oppressed; if insufficient, the Bribe was too little;  
and the King was cozen'd.'

' The second Bribe was proved by *Wolstenholme*,  
*Gerraway*, *Williams*, and, if you please, *Abraham*  
*Jacob*; and so much of these two Bribes taken in  
the Capacity of a Treasurer.'

' Now he comes to the Court of Wards, and  
shewed, That the Lord Treasurer's Offences here-  
in are of a rare Strain. First, the Knight noted, by  
way of Preface, That *Honor*, the Honour, must  
be given to him that deserved it. All the good  
Artifice

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An. 22 James I. Artifice began under Treasurer *Salisbury*. Then  
1614. were Articles invented that helped the King to all his Revenues, and tied the Officers to their own Fees and Places. The King's Revenues prospered well then: And these Articles, by the Advice of the Judges, were confirm'd under the Great Seal.

' When this last Lord came to be Master of that Court, (for now, saith the Knight, he is not charged as a Lord, but a Master) he complained he had not Elbow-Room for those Articles; he was too much bound by them; (and bound he was indeed) and therefore he projects new Articles: And these new Articles are charged with high Extortion; for in them are raised double Fees: One Fee the Surveyor formerly had, and still retains justly, another paralel Fee to this my Lord hath raised unjustly and oppressingly.'

' For Extortion is a grievous and consuming Enormity in a Common-Wealth. It was the greatest Evil the High God could foresee would befall the Enemies of God. *Let the Extortioner consume what he hath, and the Stranger devour his Labour.* Psalm cix. v. 10.'

' In these Articles his Lordship created a new Officer, a Secretary. The chief Proceedings there go by way of Petition. In the former Articles these Petitions were received by the Court, and entered by the Clerk without any Fee, and so were to be found on Record: But, in the new Articles, this new Officer is to receive these Petitions, and may, for any Rule to the contrary, suppress them; and, for his Fee, he taketh what he pleaseth; and it is prov'd he hath taken 10 l. 20 l. 4 l. 5 l. three Dishes of Silver, and the like: He is altogether unlimited, unless, peradventure, his Oath doth limit him.'

' Another Charge in this Court is this Abuse, viz. The Lord Treasurer's Place requires a whole Man, and so doth the Mastership of the Court of Wards; whereupon his Lordship was fain (as unable to wield those two great Places) to invent a new Device, a Stamp even with his own Name, *Middlesex*: Now this

this Hand moves and guides the Seal of the Court, An. 22. James I.  
and therefore, being turn'd by the Hand of a young  
Secretary, may produce strange Consequences.<sup>1624.</sup>

‘Never any King did suffer a Subject to use a Stamp.’

‘Old Lord Burleigh had a Stamp, because of his Gout, but never suffer’d it to be used but in his own Presence.’

‘King Henry VIII. had also a Stamp; but, suffering it to be employ’d by another, an Act of Parliament was overthrown thereby.’

‘He would conclude with one Example: — If a Ward be not found within one Year, he is reputed concealed, and so falls within the Dispose of the Master of the Court of Wards: Now, by the Secretary’s keeping of this Stamp and Petitions, he may so carry the Matter, that any Ward may prove concealed; and that is no remote Possibility. He brought this Instance, *a posse ad esse.*’

‘My Lord’s Secretary hath put to, and used this Stamp for, the deferring of an Office for Half a Year; and it’s therefore possible it may be done for a whole Year.’

‘The Knight said he never knew any Man before trust a Stamp, in the Hand of another Man, to command the King’s Revenue.’

‘He concluded this Point with this Observation, That my Lord was a Man raised very high, and very lately, and for Expectation of Service: That the King had been very beneficial to him; and for him to be so supine in the King’s Revenue; and so vigilant in his own, was the highest Ingratitude.’

*Et si ingratum dixeris, omnia dixisti.*

‘Here the Knight pressed upon him his Three Oaths, taken as Master of the Wards, as Chancellor, and as Lord Treasurer.’

1 As Master of the Wards, You shall well and truly serve the King and People.

He did not so, he { deceived the King, and oppressed the People.

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An. 22. James I.  
1624.

*You shall truly counsel the King.*

He did not so, witness the Articles of Oppression.

*You shall do Right to all Men.*

Impossible he should do so, with his Stamp and  
these Articles.

2. The second Oath, as Chancellor. *You shall  
honestly, (a good old Word) justly, and truly counsel  
the King.*

Not so, in this Imposition, which came alone  
out of his Quiver; and was advis'd against the  
King's Covenant, and the King's Word.

3. The third Oath, as Treasuror. *You shall well  
and truly serve the King and People.*

He doth not so that denies or delays the Subject;  
for every Delay is a Denial.

An old Canon of the Law is,  
*Nulli vendemus, nulli negabimus, nulli differemus  
Justitiam.*

*You shall truly counsel the King in all Things.*

Judge, your Lordships, whether this Lord did so,  
that gave him Counsel to break his Word.

'Sir Edward Coke (a) (this learned Knight) said,  
That all this he spake by Command; and so he  
prayed their Lordships to weigh it well, with due  
Consideration, and to give Judgment according to  
the Demerits of the Cause.'

Sir Edwin Sandys (b) proceeded to this Effect, viz.

And seconded by Sir Edwin Sandys. 'The Knights, Citizens and Burgeses in the Lower House of Parliament assembled, had com-  
manded him (undesirous of any such Employment)  
to second this Charge to their Lordships: That he  
was undesirous thereof, for he had rather defend  
the Innocent than discover the Culpable; yet he  
was the Son of Obedience, and must perform what  
by that House, he had received in Command.'

'To decypher out this great Lord, upon whom  
the

(a b) It is remarkable that these two Gentlemen, appointed to  
this Charge against the Lord-Treasurer, distinguish'd themselves  
greatly, in their Opposition to the Court in the last Parliament.  
See Vol. V. p. 525, 6.

the Charge lay, he would give of him this Cha- An. 22. James I.  
racter to your Lordships.' 1624.

*Nescia Mens Hominum est, Fatique ignara futuri,  
Et servare Modum Rebus sublata secundis.*

' The Want of Measure and Moderation most Men complain of in this great Personage.'

' That he would make his Entrance with two Protestations; which (as you know) are Exclusions, not intended Conclusions.'

' His first Protestation, That in this Crimination against new Impositions, and Impositions upon Impositions.---The House of Commons intended not to question the Power of Imposing claim'd by the King's Prerogative. This they touch not upon now; they continue only their Claim, and when they shall have Occasion to dispute it, they will do it with all due Regard to his Majesty, Statute, and Revenue.'

' For this Time, he desired the Word *Imposition* might be forborn, and the Word *Oppression* taken up in lieu thereof; yet with a Reference to the Lord Treasurer only, but in no Means to the King.'

' The second Protestation, That they intend to lay none, no not the least Aspersion upon the Council-Table, or any one Member thereof, the Lord Treasurer only excepted.'

' The House of Commons remain fully satisfied that he was the first Propounder.'

' These Protestations premised, he branch'd the Oppressions into three Natures, used in the Wines, Sugars, and Grocery-Wares.'

' And he promised to use this Method to discover, first, some General Matters, then fall to Particulars.'

The Generals are two:

' The first, The House of Commons conceive, that my Lord Treasurer cannot be ignorant, that in the Lay of the first Imposition, in the Time of the Earl of *Salisbury*, it was promised, in the Banqueting-House at *Whitehall*, That his Majesty would never lay any more Imposition upon Commodities, without the Consent of the People.'

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An. 22. James I.  
1624. ‘The second General, That my Lord Treasurer knew well that, in that Assembly of Parliament, Complaint was made in the Lower House, that the Overburthening of Trade was the Destroying it ; and that he was himself employ'd by the House to the King to negotiate for Redress therein ; and he promised there, that he would make it his Master-Work.’

*Quid dignum tanto foret hic Promissor.*

‘The Issue of all was this, for his Lordship to devise new Burthens.’

‘These were the two Generals ; from these the Knight descended to Particulars, and began with the Wines.’

‘He put their Lordships in remembrance, that the Merchants had the King’s Covenant under Seal, and Promise by his Royal Word, to lay no further Impositions : They had Reason to desire it, for they paid a great Fine and Rent for the Farm, which your Lordships knew best ; yet for all this, 19. Januarii, 19. Jacobi Regis, there issued forth a Privy Seal of imposing 31. per Tun on the French Wines ; a grievous Imposition in the Matter, yet worse in the Manner : For if it had been just, yet, in Equity, it should have been laid before the Voyage undertaken, and the Vintage made ; then it had been known, and, if known, the Merchants (as they affirm’d in the House of Commons) had stay’d at Home, deserted and given up Trading.’

‘But this Imposition was not laid till 2700 Tun of Wine were arriv’d in the River of Thames ; and yet the Lord Treasurer gave Command, that no Entry thereof be made in the Custom-House untill Security was taken to pay this intolerable Imposition.’

‘He left your Lordships there to consider their Circumstances.’

‘1. Ships all laden with this perishing Commodity.’

‘2. Great and excessive Leaking, by being upon the River, and Abuse in the Passage.’

‘3. Thirty Shillings per Tun formerly imposed by the Rochelers.’

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‘ 4. Twenty Shillings *per Tun* laid by the An. 22. James I. Merchants, for their several Apparel taken away by 1624. the *Robbers.*’

‘ 5. This 3 l. *per Tun* to fill up the Measure of their Afflictions.’

‘ Yet, instead of Compassion in this Extremity, such as refused to pay, were cessed at the double the Impots; others, who could not put in Bonds, after Asperity of Language and petitioning to the King, were committed to Pursuivants; yet the King’s Privy-Council used the Merchants honourably; for they sent for the Vintners, and, to help the Merchants, they raised the Wine a Penny in a Quart.’

‘ Notwithstanding this the Merchants fell into the Hands of Customers, who used them rigorously, and they lost great Part of their Principal: First, They paid half of this new Imposition in hand, and gave Security to pay the other half; afterwards, the Payment was divided into three Parts, and secured by the Merchants accordingly. On the 20th of *August* following, another Privy-Seal was issued to determine the former; yet 40 s. only of this Imposition was taken off thereby, and 20 s. laid on the *French Wines* partially and without Limitation; *viz.* 20 s. the Tun for *London*, and 13 s. and 4 d. for the Out-Ports, whereof the *Londoner* complained; and it was inserted in the Privy-Seal, to be at the humble and voluntary Assent of the Merchants; which is absolutely deny’d, for they only consented to pay 20 s. the Tun, untill the Remainder of the former Imposition, so secured as aforesaid, were paid, and no longer; yet they were haunted by Pursuivants till they had paid; and they complain they are undone, unless their Bonds be delivered up. They further complain, That they do pay for their Trade *Cent. per Cent.* and shew’d the Particulars, *viz.*’

‘ One Merchant had paid 800 l. to the King for his Part in a short Time, and now unable to pay any more,—Here the Knight said, That he would

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Ap. 22. James I. would willingly suppress what follows, for Acer-  
1624. bity of Speech is no Breeder of good Blood: But the Commons had commanded him to speak it, and to declare further, That the Merchants com-  
pared their Sufferings under these Impositions, to the Sufferings of the old *Israelites* in *Egypt*, when they were commanded to make Brick with less Straw; and generally confess, that they would drive twice as much Trade, if their Trade were not overburthened.'

' Hereupon they thought they had sufficient Ground to complain; this being dishonourable to the King and oppressive to the People, the King's Promise, Word, and Covenant being violated; these Impositions, double the Value, being grievous to the Subject and fearful to Posterity; for besides the old Imposition, by Statute, upon Wines, there are three more upon one another.'

' *Et quis erit Modus*, of feeding upon Trade.'

' Here ended the Complaint touching the Impos-  
ition on Wines.'

' Then he proceeded to the Complaint of the Lease of Sugars procured by the Lord-Treasurer, *viz.*'

' That whereas *George Herriot* held the Farm of Sugars, upon a Rent of 10,000 Marks *per Annum*, the Lord-Treasurer procured him to surren-  
der that Lease, and obtained a new Lease thereof unto two of his Lordships Servants to his own Use, at 2000 l. *per Annum* for the same.'

' What Merits had his Lordship, in the great ex-  
treme Want of Money, as to draw from his Ma-  
jesty so great a Reward as 4000 l. *per Annum* for 21 Years? But the Commons Complaint herein is of a higher Nature.'

' That the King having granted, that the Mer-  
chants importing any Merchandise, and paying the Duties for the same, if they export the same within 13 Months, their Imposition is restored: This is obser'd in all other Merchandizes save that of Su-  
gars.'

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gars. The Reason is plain if your Lordships know Anno 21. James I.  
who is the Farmer of it." 1614.

" The Commons further complain'd, That the Lord-Treasurer had turn'd the Composition for Grocery into an Imposition; which his Lordship did, without any Warrant, whereby he usurped Regal Authority."

" That the City of *London* had yielded to a Composition for Grocery, but the Out-Ports refused, and especially the City of *Bristol*; and that in the Lord-Treasurer *Salisbury's* Time, Anno 11. *Jacobi*, that City had a Decree in the Exchequer, that they should be freed from any such Composition, upon condition to yield to Purveyance in Kind, when the King or Queen comes within 20 Miles of their City; which Purveyance cost them 800 l. when the Queen's Majesty was there. Nevertheless the Lord-Treasurer had directed his Warrant to levy a Composition upon the Merchants of that City and the other Out-Ports, against their Wills, with Commandment to stay the Landing of their Goods untill it be paid."

" And this, he said, was the Substance of their crying Complaint; what more can they say, but, with wise King *Soloman*, *If thou seest the Oppression of the Poor, and violent Perverting of Judgment and Justice in a Province, marvel not at it; for he that is higher than the highest regardeth, and there be higher than he*, Eccl. v. 8."

" Their Complaint is of an high Lord, the Lord-Treasurer; but your Lordships are higher than he; the King higher; and God higher than all; whose Justice your Lordships execute.—This Justice they, humbly and instantly, demand of your Lordships against these Oppressions."

This Report being ended, the Lords took into their Consideration how to proceed in the Business, and then referred the Examination thereof to the Sub-Committee on Munitions, &c. adding to the said Committee the Lord-Keeper, the Lord-Steward, the Bishop of Bath and Wells, the Lord  
*Went.*

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AN 32. James I. Wentworth and Spencer: That their Lordships  
1624. may divide themselves into several Committees, if they please, for expediting this Business; and may send for any Witnesses to be sworn here in Court, that may conduce to the Examination thereof.

Committees ap-  
pointed to ex-  
amine Witnesses  
in the Lord Tre-  
asurer's Cause.

April 17. We hear no more of the Lord-Treasurer's Affair for some Time, the several Committees of Lords being busy in examining Witnesses, in support of the Charge the Commons had exhibited against him. But, this Day, another Conference was required, by a Message from the Lords to the Commons, in order, as they said, to clear some Doubts that had arisen concerning the Breach of the Treaties. This Message was agreed to, and the Conference was to be in the *Painted Chamber* immediately.

Account of the  
dangerous State  
of Ireland.

Upon this the Duke of Buckingham got up and acquainted the House with a Letter, written from the Lord-Deputy of *Ireland*, unto the Lord *Chichester*, concerning the Weakness and imminent Danger of that Kingdom: And also with Intelligence from Mr. *Trumball*, the King's Agent at *Bruxels*, concerning the Vaunts and Threats of the Adversary. His Grace also opened to their Lordships the Danger of a War in *Ireland*; and that the same may be prevented by a War of Diversion in the Enemy's Country; and that the Counsel given his Majesty to break off the Treaty will prove dangerous, if he be not supplied with Means to undertake a War.

The Lords agreed to acquaint the Commons with this Business, and that the King had sent a Dispatch into *Spain*, according to his Majesty's former Intimation, for the Dissolution of the two Treaties.

April 20. The House of Lords was adjourned from Saturday the 17th to this Day, on a Motion of the Prince, because the Funeral of the Duke of *Richmond* was to be performed on Monday. This Lord, who was Cousin-German to the King, died on the first Day of this Parliament, as has been before related.

Eighteen Witnesses were sworn, a *Voir dire*, in An. 2<sup>o</sup>. James I.  
the Lord-Treasurer's Cause, touching such Matters  
as shall be demanded by the House, or any Committee appointed by them. And, the next Day, seventeen more were sworn on the same Occasion. Nothing more of Moment was done till the 24th.

On that Day, after swearing twenty-eight more Witnesses in the Treasurer's Cause, and reading the King's Answer to the Petition against *Papists*, &c. already given; the Archbishop of *Canterbury* reported to the House, That the Committee, appointed to examine into the Complaint against the Lord-Treasurer, had met, and examined divers Witnesses, who were sworn here in the House, and had made a Collection of Part of the said Charge; which Mr. Attorney read in Form following:

*PART of the CHARGE against the LORD TREASURER.*

I. THE Farmers of the Petty Farms of Wines and Currants, having sustained great Loss in their Farm, by an Impost of 3*l.* per Tun of Wines newly set, were long and instant Suitors to the Lord Treasurer for Relief; but finding none, exhibited their Bill into the Exchequer, and afterwards a Petition to the King, for Reparation of their Loss; to which having received a gracious Answer from his Majesty, the Lord Treasurer agreed with them upon a Recompence of 9500*l.* to be defalked by 1000*l.* per *Annum* out of their Rent; yet, after this Agreement made, he protracted their Warrant about six Months, and, in the End, took of them a Bribe of 500*l.* for their Dispatch, which was set upon the Account of the Petty Farms: But since the Summons of the Parliament, the same was, by his Lordship's Direction, posted to the Account of the Great Farms.'

II. 'The Lord Treasurer being presented with a Tun of Wine, by the Farmers of the Petty Customs,

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An. 22. James I. stoms, was not contented therewith, but exacted  
1624. Money of them also; who were thereupon drawn  
to give him 100 l.'

III. 'The Farmers of the Great Farm having,  
by their Lease, covenanted to give Security for the  
Payment of their Rent, divided their Farm into  
32 Parts, appointing every Partner to give Security  
of 1500 l. for every Part. Five of the Partners  
relinquishing their Parts, the Security fell short  
7500 l. Whereupon the four Patentees, resuming  
those five Parts to themselves, tendered their own  
Security; which his Lordship agreed to accept, yet  
protracted about three Quarters of a Year, untill  
they gave him 500 l. for his Dispatch. And whereas  
his Lordship pretends, by his Answer to the House  
of Commons, that he had this 500 l. and the other  
500 l. first mentioned in one entire Sum, for four  
thirty-two Parts of that Great Farm, it appeareth  
his Lordship had no Parts at all in that Farm.'

IV. 'George Herriot having the Farms of Su-  
gars upon the Rent of 1000 Marks per Annum, the  
Lord Treasurer procured Herriot to surrender that  
Lease; and, to effect the same, gives Order for the  
Payment of 14,865 l. due to Herriot for Jewels;  
all which was paid between the 15th of December,  
1621, and the 10th of January following. The  
Lease was no sooner surrendered, but the said Treas-  
urer procures a Lease to two of his Servants, by In-  
dентure, dated Jan. 13. 1621. for 21 Years, at  
2000 l. Rent per Annum; which Rent his Lordship  
paid so slowly, that there having only 4000 l. there-  
of grown due since the Lease, 3000 l. thereof was  
paid on and since the 31st of December last: And  
whereas the Merchants, importing any Merchan-  
dize, and paying the Duties, are freed to export  
within the Year, without any new Payments; that  
Custom was observed in all other Farms, but  
denied in this, for the said Lord Treasurer's Be-  
nefit.'

V. 'The City of London having yielded to a  
Composition for Grocery Ware, which the Out-  
Ports,

Ports, particularly the City of *Bristol*, refused ; An. 22. James I. upon long Debate and Advisement, in the Time of the Treasurer *Salisbury*, it was resolved they should not be press'd thereto : Nevertheless, the Lord Treasurer hath given Warrant to levy that Composition upon the Merchants of the Out-Ports against their Wills, or else to stay the Landing of their Goods ; which hath been put in Execution accordingly.'

VI. ' In December, 1618, his Majesty, upon great Deliberation and Advisement, did set forth Instructions, very fitting and necessary for the well ordering of the Court of Wards : The Lord Treasurer becoming Master of the Wards, and, for his own private Gains, aiming at an Alteration of those Instructions, first procured a Reference to divers of the Council to consider thereof, yet after waved that Reference ; and, by his own Power and Greatness with the Officers of the Court, (tho' much against their Wills) and by Misinformation of his Majesty, (tho' much to the Disadvantage of the King and Subject) in the Year 1622, procures new Instructions ; thereby taking the Petitions from the Clerk of the Court, and appropriating them to himself and his Secretary, who takes great Rewards of the Subject for procuring Answers to the same ; and, by Colour of those new Instructions, he doubles Fees of Continuance of Liveries ; and, having concealed the Wardships to himself, he may easily make Wardships concealed by the Course of the new Instructions.'

' Also he hath made a Stamp, and delivered the same to his Secretary to be used ; thereby unlawfully, putting into the Hands of his Secretary the greatest Part of the Power and Trust appertaining to the Office of Master of the Wards. This the Secretary hath used, stamping therewith, in the Absence of the Master, Tenders, Continuances, Warrants to the Great Seal, Grants of Wardships and Leases, Indentures of Liveries, &c. And whereas, by a Privy Seal of 6° *Jacobi*, there was an Allowance  
lcttled

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An. 22. James I. settled for the Ordinary of the Office of Ordnance; which, being put out of Order in the Titne of Sir Roger *Dallison*, in Anno 1617, the Lords, upon Reference from his Majesty, set, under their Hands, a Proportion, both for present Supply and future upholding of that Office: But his Lordship, being Treasurer for the Space of two Years and a Half, hath observed none of these Proportions or Establishments; whereby the Stores are, in effect, wholly unfurnished.'

' And there being a Contract made with Mr *Evelyn*, by himself and other Commissioners for his Majesty, for serving his Majesty with Gun-Powder, being a Bargain of high Consequence to have been kept, his Lordship hath also neglected and broken that Bargain, to the Hazard of the Kingdom and Prejudice of the King.'

' He hath also made unlawful Bargains for the Lands of Sir *Roger Dallison*; wherein, for compaſſing those Lands, he has contracted to do his Endeavour to procure Payment of 8000 l. of old Arrears, (which he performed when he became Treasurer) and to pay for the Land with making of Batonets and Suits to the King; and, in particular, a Suit, for compounding with his Majesty's Copyholders of *Wakefield* by himself, worth 2000 l. And, having agreed with Sir *Thomas Dallison* and the Officers of the Ordnance, he, to gain, indirectly, and by oppressive Means, an Estate which Sir *Roger Dallison* had passed to Sir *Richard Smith* and Sir *John Davy*, he setteth on Foot an Outlawry of Sir *Roger Dallison*, and thereby dispossesseth Sir *Richard Smith* and Sir *John Davy*, who had been in Possession, by a Trial at Law; using the Power of his Place, and Countenance of the King's Service, to wrest them out of a Lease and Estate of great Value.'

After the Reading of this, it was ordered, That the said Part of the Lord-Treasurer's Charge should be sent unto him To-day. And that he be warned

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ed to appear here at the Bar, on Thursday the 28th An. 12. James I.  
Instant, at Nine in the Morning, to answer it. 1624.

Likewise, if he had Witnesses to be examined, he may present their Names to the House to be sworn between this and the same Day. And this is said to be Part of the Charge, because there are other things against him.

Things against him which are yet in Examination; and, when reported to the House, he shall be charged therewith, if thought fit.

April 26. The Messengers that were sent to deliver the Charge, &c. to the Lord-Treasurer, declared they had done it; but he gave no other Answer to them than, *It is well.*

April 27. After receiving eight Bills from the Commons, and doing some other Business, a Petition from the Lord-Treasurer was read *in hac Verba:*

To the Most Honourable Assembly of the Lords Spiritual and Temporal in the High Court of Parliament.

### The HUMBLE PETITION of the LORD-TREASURER of England.

Most humbly representing to this most honourable House the Names of such Persons (by the Witnesses, Course Schedule annexed) as the Lord-Treasurer humbly desirereth may be sworn and examined for Discovery of the Truth, upon such Articles as he shall exhibit, touching the several Matters contained in that Part of his Charge, which has been delivered to him. For which Purpose he humbly prayeth such Warrant for calling in those Witnesses, and such others as he shall give Notice of to the Clerk of the Parliament, as the Form of this High Court requireth.

And, withall, humbly propoundeth to the Consideration of th's most honourable House, Whether your Lordships will think fit to proceed to Examination of Witnesses to be produced on his Part, before he hath made his Answer; whereby it may first appear to your Lordships what Things he will deny and what confess

An. 22. James I. confess and avow, and in what Manner he will  
 1624. avow the same; upon which, as upon Issue joined, he may particularly examine his Witnesses, and, after Copies of the Depositions taken both for and against him, the Cause may be prepared for your Lordships honourable Judgments; which he protesteth to further, on his Part, to a Hearing with all possible Expedition.

Lastly, his most humble Suit is, That, in respect of the Nature and Multiplicity of the Matters objected against him, which do necessarily require the Assistance of learned Counsel, this most honourable Court will be pleased to assign the following Gentlemen to be of Counsel with him, in this Cause of Weight so much concerning him; viz. Mr. Doctor Steward, Mr. Richard Hide, of the Middle-Temple, Mr. William Hackwell, of Lincoln's-Inn.

### MIDDLESEX.

Then follow the Names of near forty Witnesses:

This Petition being read, the Lords appointed a special Committee to consider what Answer should be made to it, consisting of the Lord-President, Lord Viscount Rochford, the Bishop of Rochester, and the Lords Wentworth, Howard, and Say. These Lords having withdrawn themselves some Time, and being returned, the Lord-President reported to the House the Answer agreed on, in these Words:

The Order of the  
 Lords thereupon. 1. That Warrants shall be given for calling in  
 of such Witnesses, whose Names shall be exhibi-  
 ted in Writing, and thought fit by the House to be  
 examined; the Interrogatories and Witnesses Names  
 to be sent to the House To-morrow in the After-  
 noon, and the Witnesses themselves to appear, that  
 such of them may be sworn and examined as the  
 House shall think fit. 2. The House sees no  
 Cause, when the Witnesses Names and Interroga-  
 tories are sent in, why the Examination of them  
 should be deferred: But the Day for his Appear-  
 ance and Answer was to hold. 3. His Lordship  
they

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may use what Council he pleases to advise for his An. 22. James I.  
Defence; but it stands not with the Orders of this 1624.  
House to allow Council, at the Bar, in Cases of  
this Nature.

This Answer, being read and approved, was sent to the Lord-Treasurer. A Memorandum is made, That the Earl of Bridgewater, one of the Committee to search Precedents, &c. reported, That they could find none where a Member of this House did answer, by his Counsel, to a Complaint exhibited against him: But that divers Members of this House and others had answered in Person and not by Counsel; and that Counsel was denied to Michael de la Pole, Lord-Chancellor, Anno 10, Richard II. when he required the same.

April 28. The Lords being inform'd that the Witnesses, whom the Lord Treasurer desired to be examined, waited without for that Purpose; they ordered the Usher to go forth and enquire, whether any from the Lord-Treasurer attended with Interrogatories to be exhibited by his Lordship to the Witnesses. And, being informed there was none, the Lords agreed, for gaining of Time, to swear the said Witnesses according to the usual Oath.

Soon after this came another Petition from the Lord-Treasurer to the House, which was read *in hac Verba*:

To the Right Honourable Assembly of the Lords Spiritual and Temporal in the Higher House of Parliament.

### The HUMBLE PETITION of the Earl of MIDDLESEX, LORD-TREASURER of England,

Most humbly sheweth, That, according to your Lordships Directions, in Answer to his Petition humbly presented Yesterday, he had appointed the on<sup>s</sup>, &c. Witnesses there named to attend the most honourable House this Afternoon, to be sworn to answer such Interrogatories as, on his Behalf, shall be exhibited.

VOL. VI. L But,

The Lord Treas-  
surer's Petition  
as to Interro-  
gatories, Depositi-  
on, &c.

An. 22. James I. 1614. But, whereas your Lordships did further direct  
that the said Interrogatories should be presented this Day; he most humbly desires your Lordships to be truly informed, that, having neglected no Time since he received his Charge to prepare his Answer, he finds the Matters objected so many and of such divers Natures, that he cannot yet, possibly, furnish the same, in such perfect and particular Manner, as he ought and desires to do for your Lordships best Satisfaction, and the clearing the Matters laid to his Charge in all Points.

And therefore, his Answer being not yet ready, upon which all the Interrogatories must properly be grounded, and without which your Lordships Judgments of the Pertinencies of the Interrogatories cannot be rightly informed, he humbly beseecheth your Lordships to re, pite them, and as soon as his Answer is finished he will forward them with all possible Speed.

And he doth, once again, humbly propound to the Consideration of this most honourable House (because therein your Lordships have not been pleased to give Answer unto his former Petition) whether your Lordships w. il not, in your noble Justice, permit him to have Copies of the Depositions taken and to be taken in thi. Cause, on both Sides, without which he shall be utterly disabled to make that just Defence, which a Cause, of that Importance to him, doth necessarily require.

#### MIDDLESEX.

Order therupon. The Lords, upon reading this Petition, did all agree, 'That it is against the Order of th s Court, as well as of all other Courts, for a Delinquent to have Copies of the Examinations before he answers.' And, as to the rest of the Petition, the following Answer was agreed on to it.

'The Lords expected to be obeyed and not to have been directed; and hold for a Disrespect unto the House, That Witnesses should be produced and sworn, and no Interrogatories sent whereon to examine them as was required.'

'The Copies of Depositions already taken, for Proof of the Charge, was not directly prayed in the

## Of ENGLAND. 163

the former Petition, therefore it was not precisely An. 22. James I.  
1624. answered; but it is so unfit a Desire that the Lords think the Petitioner ill-advised to make such a Request. And, according to the former Order of the House, the Lords expect the Lord-Treasurer's Appearance To-morrow Morning, to hear such Answers as he shall make.

April 29. Another Petition from the Lord-Treasurer was presented to the House, and read *in hoc verba*; directed as before:

*M*ost humbly shewing, That, besides the weighty Cares of Mind which now do lie upon him, by his former Petition the Charge he hath received from that most honourable House, he is fallen into such an Indisposition of Body, as he is once more enforced to beseech your Lordships, in your noble Justice and Favour, to grant him a farther Day for presenting his Answer and Interrogatories, which fall out to be much longer than he himself expected. It being no small Addition to his Sorrows, that, in a Case so nearly concerning him, he cannot conceive by their Lordships former Answers to his former humble Petition, that they purposed to allow him Copies of the Depositions, whereby, after his Answer delivered in Writing, he shall prepare himself for his just Defence against the Hearing.

## MIDDLESEX.

To back this Petition, his Royal Highness the Prince moved the House, 'That in respect of the Lord-Treasurer's great Office, and Sickness pretended by his Lordship, he might have a longer Day given him, and that Day to be absolute.' On which, the following Answer to the Petition was agreed on.

'That the Lords, only, in respect of the Lord-Treasurer's Indisposition of Health, are pleased to respite his Appearance this Day; but do enjoin that on Saturday next, May 1. at Nine in the Morning, if his Health so permit, he bring his Answer

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An. 22. James I. according to the former Orders of this House ; if  
1614. not, that then he send his Answer to his Charge in Writing, and all such Interrogatories as he would have his Witnesses examined upon. Likewise, the Lords do peremptorily assign *Friday*, the 7th of *May* next, at Nine in the Morning, for his Appearance in Person, and for the final hearing and determining the Cause.'

This Concession of the Lords was gained by a Letter, which the Treasurer had wrote to the King, to intreat him to intercede with them for longer Time. The Letter itself is too consistent with this Design to be omitted.

### The Earl of MIDDLESEX to the KING (d).

His Letter to the King for that Purpose.

Sacred Majesty and my most gracious Master,  
**T**Our Goodness is such to me your oppressed Servant, in this my Time of Persecution, as I know not how to express my Thankfulness ; otherwise than by pouring forth my humble and hearty Prayers to the great God of Heaven and Earth, to grant your Majesty all Happiness here and everlasting Happiness hereafter.

Between Five and Six of the Clock on Saturday in the Evening, I received my Charge from the Lords assembled in Parliament, with an Order by which I am commanded to appear at the Bar, on Thursday next, by Nine of the Clock in the Morning, with my Answer ; and in the mean Time to examine my Witnesses.

This Charge of mine hath been in preparing, by examining Witnesses on Oath, and otherwise, twenty-three Days ; and hath been weighed by the Wisdom of both Houses ; and doth concern me so nearly in Point of Honour and Faith to your Majesty, to answer well, as I value my Life at nothing in comparison of it.

I may grieve, tho' I will not complain of any Thing my Lords shall be pleased to command ; but do hope that, upon a second Consideration, they will

not

(d) Cabala, or Mysteries of State, &c. Fol. Edt. p. 301.

not think three Days a fitting Time for me to make my Answer, and to examine Witnesses in a Cause of such Importance and so nearly concerning me, when twenty-three Days have been spent, almost from Morning untill Night, in preparing my Charge.

I know the House (whose Judgment I shall never desire to wave) is the proper Place for me to move to be resolved herein; and therefore shall, on Wednesday Morning, make my humble Motion there, to have seven Days longer Time, as well to make my Answer and Appearance, as to examine my Witnesses, who are many, and upon several Heads.

But because the Prince his Highness and many of the principal Lords are now with your Majesty at Windsor, my humble Suit to your Majesty is, that you would be pleased to move them, on my Behalf, to yield me so much further Time, that my Cause may not suffer Prejudice for want of Time to make my just Defence; that which I have propounded being as moderate as is possible.

With my most humble and hearty Prayer to Almighty God for Continuance of your Health, with all Happiness, I humbly kiss your Majesty's Hands, and will ever rest,

April 26. 1624

Your Majesty's  
most humble Subject and Servant,  
MIDDLESEX.

To go on with our Journal:—The same Day, April 29, the Attorney General read some additional Articles to the Charge against the Lord Treasurer, *in hoc Verba*:

‘I. He undertook the Office of the Wardrobe, in the 16th Year of his Majesty's Reign; and continued in the Service of that Place from Michaelmas, Anno 16, to the same Time, Anno 19. This Office he took upon him under Pretence of doing his Majesty special Service; and, for that Purpose, obtained a certain Assignment of 20,000 l. per Ann. or thereabouts, which was duly paid unto him by way of Imprest.’

Additional Articles against the Lord Treasurer.

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An. 12. James I.  
1624. ‘Instead of doing Service, he hath brought that Place into Disorder and Confusion; he hath not duly served the Warrants which he should have served, nor paid the Workmen and Creditors; he hath neither kept orderly Accounts, nor yielded any; but, under Colour of pretended Service of great Importance, hath procured Gifts and Discharges of great Sums of Money, which he received for the Execution of that Place, and for the Queen’s Funeral.’

‘II. Whereas, in the former Charge delivered to his Lordship, it is mentioned that Merchants, importing Sugars, have been denied to export the same without paying new Duties: It appears, upon further Consideration of that Business, That the Prejudice the Merchants have sustained concerning their Sugars, is, that they have been denied, upon Exportation of Sugars, the Imposts paid on Importation; which is contrary to the Direction given by his Majesty’s Letters Patents  
**5 Sept. 8 Jac.**’

A Copy of this, signed by the Clerk, was sent to the Lord Treasurer by Mr. Sergeant *Davis* and Mr. Sergeant *Finch*.

**May 1.** This Day the Lord Treasurer sent yet another Petition to the Lords, with his Answer to his Charge, and the Interrogatories to four Parts of the same; which, being read, were referred to a Committee, who were to report to the House what Interrogatories they reject. The Tenor of the Petition was as follows;

To the most Honourable Assembly of the Lords Spiritual and Temporal in the Higher House of Parliament.

**HIS further Pe-  
tition.** **T**HE Lord Treasurer, with most humble Thanks, acknowledgeth the honourable Favour of this House, by their noble Order made in this House on Thursday last; and doth most humbly take hold of the Liberty thereby granted him, (in respect of his Indisposition, which yet continueth) most humbly to present

sent to your Lordships herewith all his Answer, in An. 22. James I.  
Writing, as well to the Charge he received the 24th 1624.  
of April, as to the Additions thereto which he receiv'd  
the 29th of the same, together with as many of his  
Interrogatories for Examination of Witnesses as he could  
possibly make ready by this Time, which are full and  
perfect for four of the Articles of his Charge; most  
humbly desiring Monday morning at the Sitting of  
the Court for the bringing in the rest; and that your  
Lordships will pardon the Length of his Answer; the  
Variety and Multiplicity of the Particulars necessarily  
requiring it, as well for the readier informing of your  
Lordships Judgments, as for Relief of his own weak  
Memory, whom as yet you have been pleased to appoint  
to stand alone without Counsel at the Hearing: He  
doth withall humbly explain his Meaning in the for-  
mer Petitions, which were not to desire Copies of the  
Depositions before his Answer were put in, and all  
Witnesses for and against him fully examined: But,  
when that shall be done, he hopes it will stand with  
the Honour and Justice of that most honourable House,  
to allow him Copies of the Depositions on both Sides.

#### MIDDLESEX.

The Tenor of the Lord-Treasurer's Answer  
to his Charge followeth.

**The HUMBLE ANSWER of the Earl of Middlesex,**  
**LORD-TREASURER of England, to the Part**  
**of the CHARGE which was deliver'd him from**  
**the most honourable Court of the Higher House of**  
**Parliament, on Saturday the 24th of April, 1624.**

**T**O the first and third Articles concerning His Answer to  
the two pretended Bribes of 500 l. a-piece, the first Part of  
alledged to be taken by the Lord-Treasurer for the the Charge a-  
several Causes mentioned in the said Articles: His <sup>against him.</sup>  
Answer is, That no such several Sums were ever  
paid unto him, nor any Money at all for any of  
the Causes mentioned in the said Charge; but he  
acknowledgeth that, the 27th of June last past,  
he, by his Servant, did receive at the Hands of

Abraham

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An. 22. James I. 1624. *Abraham Jacob*, one entire Sum of a 1000 l. in consideration of his, the said Lord-Treasurer's, Interest in four 32 Parts of the great Farm, which he had formerly reserved unto himself, upon settling the new Lease thereof; and for no other Cause, as he hath truly alledged in his Answer to the House of Commons: And, for better Satisfaction of this most honourable House therein, he hath here set down a true and particular Declaration of the State and Carriage of that Business, as followeth:

' He is very well assured, that as his general Course, in all Bargains of the like Nature for the King, hath been to look to his own Duty and the King's Service, as the Husband of his Majesty's Estate; so in this particular, touching the 9500 l. allowed to the Petty Farmers in recompence of their Losses, he carried himself so carefully and so strictly for the King, as he could no ways expect so much as Thanks, much less any Gratuity or Reward from them: For though, at first, they demanded of his Majesty a very great Sum, pretending, that the Interruption they complained of was 10,000 l. Disadvantage to them in their first Year only; yet, upon good Reasons, shewed by the Lord-Treasurer, on his Majesty's Behalf, they were brought to accept of 9,500 l. whereof, though they earnestly pressed to have present Satisfaction, yet he over-ruled them to take it in nine Years and an Half, (which was not worth more than 5000 l. in hand) and that, also, to be in full Satisfaction of all their Demands, not for one Year, but for the whole Term of nine Years and an Half; so, as, in that Particular, the Lord-Treasurer was so far from doing them Favour, that he thinks, they have maliced him ever since, rather for holding them so hard to it, than for any Regard to the King's Service.'

' And for the Great Farm, the said Treasurer saith, That the old Farmers, becoming Suitors to renew their Lease, propounded to leave the Silk-Farm upon his Majesty's Hands; and, withall, to have an Abatement of the Rent they then paid for the

the Great Farm: Whereupon the Lord-Treasurer, An. 22. James I.  
 finding how much that Offer tended to his Majesty's 1624.  
 Disadvantage, desired Sir *Arthur Ingram*, by himself and his Friends, to get a better Offer made to the King, which was done accordingly; and thereby his Majesty's Rent was not impaired (as at first was proposed) but increased 4000 l. *per Annum*; and the Silk-Farm-Rent was also made good; which, otherwise, to have been lett by itself, would not have yielded the old Rent by 5, or 6000 l. *per Annum*; so that the Bargain was better to the King than the old Farmers first offered by 9, or 10,000 l. *per Annum*: Notwithstanding, it was thought fit by his Majesty that, the old Farmers, coming to the Rate offered by others within a 1000 l. *per Annum*, should have the Preference of the Bargain. But withall, the Lord-Treasurer, to gratify those, who, by their said Offers, had done the King Service, by advancing the Rent as aforesaid, did, at the Instance of Sir *Arthur Ingram*, on his and their Behalf, reserve certain Parts of the said Farm, with no other Intention but to dispose the same among them; and then gave Order for the Lease to proceed to the Patentees, who were named, in Trust, for themselves, and all the Partners.'

' And, afterwards, the said Lord-Treasurer did dispose of the said Parts, reserved to the said Sir *Arthur Ingram* and others, according to the first Intention; four of which Parts, the Parties which had them did afterwards, at several Times, give up to the said Lord-Treasurer, and left the same at his disposing. Some Months after, Sir *Philip Carey*, who had one of the Lord-Treasurer's Parts, and some others placed by the Farmers, upon some Mislike of Carriages of that Farm, did also relinquish and give up their Parts; upon Occasion whereof, the Lord-Treasurer, being put in mind by Sir *Arthur Ingram* of the said four Parts, which were returned unto him by those to whom he had formerly disposed them; and being ask'd what he would do with them, did, upon *Jacob's* next coming to him, ask him, How the Farmers meant to  
 use

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An. 22. James I. 1624. use him for his four thirty-two Parts of the Farm ? He answered, That because his Lordship had formerly sign'd a Warrant, for the King's Security of all the thirty-two Parts, and said nothing of those four Parts, they thought his Lordship had waved them ; but he would speak with the Partners about it, and then give him a full Answer. Within few Days after, *Jacob* returned to him, and very freely offered a 1000 l. for his Parts, according to the Rate which, he said, they had lately given to Mr. Chancellor for his; which the Lord-Treasurer was contented to accept : And within four Days after, he told Mr. Chancellor what Bargain he had made with the Farmers, for his Interest in four thirty-two Parts of the Great Farm, viz. That he had sold them to the Farmers for a 1000 l.'

\* This Agreement being thus made with *Jacob*, and the 1000 l. paid accordingly ; it falls out, by that which was since discovered, That he and his Partners, which shared those four Parts, agreed together, to ease themselves of that Money, (which should have been properly born upon their own private Accounts,) by laying the same upon the general Accounts of the Great and Petty Farms ; (themselves being Farmers in both) and thereupon, the 1000 l. as is since discovered, was by them divided into two Parts ; the one Half enter'd upon the Books of the Petty Farmers, and the other, upon the general Account of the Great Farm, as Gratuities to the Lord-Treasurer ; who little knew of their unjust Proceedings, both with himself and their Partners, untill about *Christmas* last ; when he had first Intimation of some such Charge laid upon the Petty Farms, not hearing then that which was done upon the Great Farms Account : Hereupon he presently sent for *Jacob*, and was much offended with him, that he should suffer any such unjust Thing to be done ; who, at first, denied it ; but, the next Day, confess'd it ; and said, it was ill done ; and said, he was over-ruled in it ; and promised to set all straight again, according to the Truth and Right of the Case ; which, the Lord-Trea-

Treasurer understands was done accordingly; not An. 22. James I.  
by posting the 500 l. from the Petty Farm's Ac- 1624.  
count to the Great Farm's, but by discharging  
both unjust Charges out of both Accounts; the  
Patentees returning back the Money which they  
had taken off the Petty Farmers, upon the Lord-  
Treasurer's just Exception thereto; and also mak-  
ing like Restitution, of their own Accord, to their  
Partners in the Great Farm, whom they had like-  
wise wronged; whereof the Lord-Treasurer heard  
nothing till of late: So, he hopes, the Proofs of  
this Cause will make it evidently appear, that all  
this Scandal hath fallen upon him, by this under-  
hand working of the Patentees for their own pri-  
vate Gain; by wrongfully charging their Partners  
in both Farms, to ease themselves, without the  
Lord-Treasurer's Privity or Knowledge: And tho'  
the Patentees, to make their own Tale good, have  
lately denied that the Lord-Treasurer had any Part  
in the Farm; yet, it will manifestly appear upon  
Proof, by the Oaths of Men of good Reckoning,  
that themselves have acknowledg'd, that his Lord-  
ship had reserved Part of that Farm at his dispo-  
sing.'

' For the 100 l. and the Tun of Wine, alledged,  
in the second Article, to be received: The  
Truth is this, That *Abraham Jacob* being with  
the Lord-Treasurer about other Business, told him,  
That the Farmers of the Petty Farms, had, or  
did intend, to present him with a Tun of Wine,  
for a New Year's Gift. The Lord-Treasurer  
then answered him merrily, That other Lord-  
Treasurers had been better respected by those Far-  
mers, and that he would have none of their Wine;  
and shortly after, *Bernard Hyde* brought him an  
100 l. for a New Year's Gift only, and for no  
other Cause.'

' To the fourth Article, concerning *George Her- riet*'s Reckoning and the Sugar-Farm, the Lord-  
Treasurer makes this Answer, That in 1620, a  
Lease was granted to *George Herriot*, of the Impost  
upon Sugars for three Years, not at the Rent of  
1,000

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An. 22. James I. 10,000 Marks *per Annum*, as is alledged in the  
1624. Charge, but at less by a 1000 l. *per Annum*, viz.  
5666 l. 13 s. 4 d. Rent.'

' Afterwards, the 17th of November 1620, in the Time the Lord Viscount *Monderville* was Treasurer, *Herriot* obtain'd a Privy-Seal of Assignment, whereby he had Power to pay himself out of the Sugar-Farm-Rent, by way of Retainer, a Debt of 13,089 l. 16 s. formerly due to him, viz. for his Fee-Arrear in the Exchequer 187 l. 10 s. and upon six Privy-Seals for Jewels, formerly bought of him, 12,902 l. 6 s. in which Privy-Seal of Assignment, there was one special Clause, That if the said three Years Rent would not suffice to pay the whole Debt, by reason of Defalcations which might fall out upon the Farm, the rest should be made good out of the Exchequer; and afterwards, in *May* and *August* 1621, in the Viscount *Monderville's* Time, *Herriot* obtained two other Privy-Seals, for two other Debts due to him, amounting to 1962 l. 15 s. which, being added to the former Debts by Privy-Seal, makes up the great Sum of 14,865 l. mentioned in the Lord-Treasurer's Charge.'

' And whereas it is alledged, that this whole Sum of 14,865 l. was paid to *Herriot* by the now Lord-Treasurer's Order within the Space of 26 Days; the Truth is, There was not one Penny paid at all in Money, but *Herriot* being indebted to his Majesty 7799 l. upon account of the Rents and Profits of the Sugar-Farm untill *Christmas* 1621, the same was allowed in discharge of so much of his Debt of 14,865 l. viz. 5666 l. 13 s. and 4 d. which he had Power to pay himself, by virtue of the said Privy-Seal of Assignment; and 2132 l. 6 s. and 8 d. which was done by him upon his Account before the Lease of the Sugar-Farm began. And whereas he might, by the said Privy-Seal of Assignment, have paid himself the other 7066 l. within less than 15 Months; the Lord-Treasurer did, by *Herriot's* Consent, transfer the same to be paid out of the Tobacco-Farm,  
viz.

viz. 4000 l. at Michaelmas 1622, and the rest at Michaelmas 1623; which was a longer Time and more advantageous Assignment for the King than the former was: So, although there were several Orders sign'd, as if the Money had been paid immediately out of the Exchequer; yet that was done, of Necessity, to enable the striking Tallys, for the Tellers Charge and Discharge, as the Form of the Exchequer required, without issuing any Money at all: So that it will appear upon Record, this Charge upon the Lord-Treasurer is wholly mistaken; and that he was so far from paying so much ready Money as he is charged with, that he paid no ready Money at all, but by Assignment; which he made at longer Days, than it was formerly settled in his Predecessors Time. And thereupon *Herriot*, having his Debt thus settled and paid to his Content, did surrender up his Lease; which, he had procured to no other End, but to secure the Payment of the Debts owing to him by the King. Afterwards, it is true, his Majesty granted a new Lease of the Sugar-Farm to the Lord-Treasurer's Use, at the Rent of 2000 l. *per Annum*; in the granting whereof his Majesty was truly inform'd of the State of the same, and particularly made acquainted, That the said Farm of Sugars might be improv'd to 6000 l. *per Annum*, though *Herriot* had it but at 5666 l. 13 s. 4 d. it being his Majesty's Pleasure, out of his own Grace and Goodneis, to grant the same, in Form aforesaid, to the Lord-Treasurer, for his many Services, and for Considerations best known to himself.'

' For the slow paying his Rent, it is true, that one of the 3000 l. was paid three or four Days after the Rent-Day, and the other two Half-Years Rents were forborn in respect of some private Disbursements of his Lordship's for the King; upon Bills of Exchange to the Commissioners for Ireland; and other Engagements for his Majesty; which his Lordship intended should be discharg'd and clear'd by the said Rent.'

\* And,

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‘ And, lastly, The Liberty of transporting Merchants Sugars, formerly imported, remaineth now in the same Estate and Condition, without any Alteration, since the Lord-Treasurer’s Lease, as it did at any Time before ; neither is there any such Restraint or Denial made by him, or under him, to the Merchants Prejudice or his own Profit, as is alledged in the Charge.’

‘ To the fifth Article, touching the Composition for Grocery-Wares in the City of *Bristol* and the Out-Ports ; the said Lord-Treasurer saith, That Complaint being made unto him on his Majesty’s Behalf, That, the said Composition-Money being no less due in the Out Ports than in the Port of *London*, no certain Course was settled for the receiving of it, or bringing it to account for his Majesty’s Use, so as little or no Benefit thereof came to the King : He thereupon thought fit to send a general Warrant to the Out-Ports, to authorize *Abraham Jacob* to take care of that Collection ; and receive such Duties of that Nature, as had been formerly used to have been paid ; to the end the whole Collection thereof might come in upon one Man’s Account ; with no Intention to raise a new Charge upon the Subject, but only to settle the Collections of the King’s Duties in Order : And, as soon as the said Lord-Treasurer had notice, That the Citizens of *Bristol* had formerly yielded to furnish his Majesty’s Household with Grocery in *Specie*, upon Purveyance, at the King’s coming into those Parts ; and, thereupon, had obtain’d an Order in the Exchequer, to exempt them from the Payment of the Composition ; the Lord-Treasurer did presently discharge the former Warrant sent thither before, and referred the Merchants (who acquainted them with it) to Sir *Simon Harvey*, one of the Officers of the Green Cloth, who certified his Lordship, that he had agreed with them to their good Contentment.’

‘ To the sixth Article, concerning the Business of the Court of Wards, the Lord-Treasurer makes this humble Answer, That in December 1618, his Ma-

Majesty did set forth Instructions for the ordering An. 23. James I.  
1624. of the Court of Wards ; which Orders were set forth by the Procurement and Solicitation of some of the Officers, without the Privity of the Lord Viscount Wallingford then Master, and some other of the Council of that Court, and near about the Time of his Lordship's leaving the Place ; divers of which Articles tended to the Abrogement of the antient Authority and Profits of the Master's Place, and for the Profit of others of the Officers of the Court.'

' Whereupon the Lord Treasurer, being made Master, was an humble Suitor to his Majesty to restore him to the former Rights of the Place, by altering the said Instructions in some Points, not prejudicial to his Majesty's Profits, nor grievous to his Subjects ; upon which it pleased his Majesty to refer the same to some Privy Counsellors, as is mentioned in the Charge ; after which Time, and before any Thing was done, upon the humble Motion of the Lord Treasurer, his Majesty was pleased to direct, That the Master and Officers should first confer and agree (if they could) among themselves, and resort to the Referees, if they agreed not : Whereupon the Master and all the Officers, upon sundry Meetings and Debatings, agreed among themselves for the new Instructions, and thereupon voluntarily subscribed their Names. There was no Misinformation used to his Majesty ; neither were the Points contained in the new Instructions disadvantageous to the King or Subjects more than the former, and, in some Points, of much more Advantage both to the King and Subject.'

' Touching the taking Petitions from the Clerk of the Court, and appropriating them to himself and the Secretary, who is charged with taking great Rewards for procuring Answers to the same, he saith, That, untill the said Instructions of 1618, all Petitions were delivered to the Master ; which, by the said Instructions of 1618, were (to the great Prejudice of the Subject, and Delay of his Majesty's Service) delivered to the Clerk of the Court, who

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1624. who was to present it at the Sitting of the Council, which could be only in Term Time; whereas, by the former antient Course, and by the last Instructions, the Petition being delivered to the Master, he only giveth Order for finding and returning an Office, which must also be entered with the Clerk; and, the Office being returned, the Grant is made by the Master and Council, at the Council Table. By this Course the Suitor hath Expedition at all Times, and the Master no Profit at all; and the Secretary neither hath taken, nor exacted, any Reward of the Subject for procuring Answers, to the Knowledge of him the Lord Treasurer.'

' Touching the doubling Fees for Continuance of Liveries, by the new Instructions, he saith, That, ever till the Instruction of 1618, the Suitor might continue his Livery, either with the Master or Surveyor; and the Master's Fees for such Continuance was ever ten Shillings. The Instructions of 1618 appropriated the Continuance only to the Surveyor, which was an Encroachment by the Surveyor upon the Master; now the new Instructions enjoin the Continuances to be with both, for which the Master taketh no other Fee than ten Shillings, which was the antient Fee for Continuances taken by all Masters before him: And, for Tenders, the Master doth now take but five Shillings; whereas the antient Fee is ten Shillings.'

' By the Continuance before both Houses, Men are rather forced to sue out their Liveries to the Benefit of the King, and Good of such as have Cause to sue against them.'

' Touching the having of concealed Wardships, and, to that Point, that the Master may easily make Wardships concealed by the Course of the new Instructions, the Lord Treasurer saith, That altho' he hath the disposing of concealed Wardships, yet the Benefit of them is to the King's own Use; and it is not in his Power to make a concealed Wardship: For if the Petition should be suppress'd, or not answered, yet it is no Concealment, by the  
new

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New Instructions, if any Suit be made for it with-  
in a Year after the Death of the Tenant; neither  
is the Lord Treasurer charged to have done, or so  
much as to have attempted any such Act.'

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' Touching the Stamp, which he is charged with having delivered to the Secretary, he doth humbly acknowledge the same; but, withhold, desireth your Lordships to take into Consideration, that the whole Purpose and Scope of doing thereof was only for the present Dispatch of Suitors in ordinary Matters of Course; and for such Business as could not be effected by the Stamp alone, without the Assistance or joining of other Officers therewith, either before or after putting the Stamp: And the Lord Treasurer was rather induced to give way thereto, because he had understood that the Lord Burleigh, when Lord Treasurer, made use of the like; and for that Stamps are in use in other Offices at present: Yet, if the Lord Treasurer had ever conceived, or been informed, that it had been unlawful or unfit, he should not have used it: Also he directly affirmeth, That, by the Use thereof, neither the King's Majesty, nor the Subject, hath hitherto any Charge or Prejudice, but much Ease in their Dispatch.'

' And as to Dallison's unsettling the Office of Ordnance, that fell out eight or nine Years since; and the Supply set down by the Lords, Anno 1617, was four Years before the Lord Treasurer was in Office; neither did the Commission of the Treasury, nor his Predecessors, pursue any Point thereby affected; but it lay wholly neglected, and now only revived against the Lord Treasurer, who never saw it but in this Parliament: And for the Book made up by the Commissioners of the Navy, Anno 1620, for supplying the Stores and future Apportioning of the Office of Ordnance, (tho', being the last of the three Settlements mentioned in the Articles, it might be sufficient to suspend both the former) it was so far from being an Establishment to govern the Office by, that all the Officers have, and still do oppose it, and protest against it to this Day; so as there being only Propositions

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An. 22. James I. without Resolutions, and no settled Rule of Establishment and Direction, why should the Lord Treasurer be bound to keep it? Or why the Breach thereof be made his Fault now, when it was broken and neglected in his Predecessor's Time, who was then the only proper Officer to have put it in Execution, the now Lord Treasurer being but one of the Propounders of it.'

' Notwithstanding, he humbly conceives, and hopes to prove clearly, that there hath been no such wilful Negligence as is alledged; for tho' it be true, that the Officers of the Ordnance, always opposing that Book of the Commissioners, would never sue out the two Warrants thereby required, the one of 13,640 l. 14 s. 2 d. for Supply of the Stores, and the other of 3000 l. *per Annum* for the Ordinary; yet there have been other Privy Seals of the same Nature sued out, whereupon hath been issued to that Office, since that Book of the Commissioners was delivered, as follows, viz. for the Supply of the Stores, 11,096 l. 17 s. 6 d. which Sums want not much of the Commissioners Preparations, considering that the ordinary Quarter-Books are yet unpaid for a Year and a Quarter; all which argue no wilful Negligence in the Payments, howsoever the Officers have disposed of the Monies; nor any great Unfurnishing of the Stores, which, if they have less Proportion of some Stores of Provisions than were set down in the Commissioners Books, yet they have more of other Stores of Provisions, which have since been thought more useful and more necessary.'

As to what concerns neglecting the Supplies for Gun-powder, the Lord Treasurer saith, ' That the Bargains with *Evelyn* were made in the Lord Mandeville's Time, who continued in the Office the first five Months after; in which Time *Evelyn* served in Powder for the first three Months; but, getting no Money for it, made a Stop of his Delivery, according to the Liberty of his Contract: So that the same was broken in the Lord Mandeville's Time, and left wholly in Distraction to the now Lord Treas-

Treasurer, with a Debt for three Months Powder, delivered as aforesaid ; his Predecessor not paying one Penny upon that Contract in all that Time.' An. 22. James I.  
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' Neither did that Bargain with *Evelyn* suffer any small Interruption, by the continual Complaints stirred up against him by Mr *Sadler*, and new Propositions made by him for settling the Powder-making otherwise ; whereby *Evelyn's* Contract stood under Question, and both the Lord Treasurer, and Mr Chancellor, and the Commissioners of the Navy, had several Times the Trouble to examine the same ; the Lord Treasurer having a Purpose to bring *Evelyn* to Account for the Profit, made by him, of the Surplusage of the Price of the Powder put to Sale : By this Means, and by reason of other Mishaps, of blowing up the Powder-Mills by Fire, *Evelyn* grew discouraged ; and the Service was neglected, till *Sadler's* Suggestions were found frivolous, which was near a Year's Interruption of the Service.'

' Besides, when the Lord Treasurer enter'd, he found in the Stores but one hundred and sixteen Lasts odd hundreds of Powder ; and, the 20th of March last, he left in store above one hundred and forty one Lasts, notwithstanding the great Expence of Powder, upon Extraordinaries, in the now Lord Treasurer's Time, which also might have been one hundred ninety four Lasts, if the Lord *Mandeville* had settled and maintained the Contract in his Time, by Addition of his five Months Provision, and the three Months which he left the now Lord Treasurer to pay for ; whereas the whole Proportion of Gun-Powder, assign'd by the Commissioners of the Navy's Book to be in store, was but one hundred and forty three Lasts of Powder ; and good Reasons given wherefore there should be no more.'

' Lastly, It will appear, by comparing the Quantity of Powder, paid for by the now Lord Treasurer, with the Time before, that his Lordship had paid for as much, in this short Term of two Years and a Half, as hath been paid for in the next seven Years before ; so as never, in the King's Time,

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Ap. 22. James I. were the Stores so well furnished with Powder for  
1624. Quantity and Goodness, as they are now ; and yet never more want of Money in the Exchequer these twenty Years, than hath been in the now Lord Treasurer's Time.'

To the last Article of the Charge, about the Bargain for the Land which was Sir *Roger Dallison's*, the Lord Treasurer saith, ' That he hath not made any unlawful Bargain for the Lands of the said *Dallison* ; neither hath he paid for the said Lands with making of Baronets, or freeing Copyholders, or any other Suit to the King, as by that Article is pretended ; but hath really paid for the same in Money and Money's worth, out of his own Estate, to the full Value of the Lands and more : And, for more full Declaration of the Truth, he saith, That the said Sir *Roger Dallison* being indebted to the King in 13,062 l. 4 s. 10 $\frac{1}{2}$  d. whereof Sir *Thomas Mounson*, his Surety, was found Debtor 3100 l. the said *Dallison's* Lands were extended for 9962 l. 4 s. 10 $\frac{1}{2}$  d. thereof, and the said Sir *Thomas Mounson's* Lands for the said 3100 l. and these so extended, together with the said several Debts, were granted by his Majesty's Letters Patent the 20th of July, 18. *Jacobi Regis*, unto *Francis Morrice*, and other Officers and Creditors of the Ordnance, for 13,062 l. owing to them by his Majesty ; with a special Command to the Lord Treasurer and Chancellor of the Exchequer, to make out such Writs and Procees for the said Debts as should be required ; and, with a Covenant on the King's Part, that if, by reason of Incumbrances, they could not receive the same in convenient Time, then it should be paid unto them out of the Exchequer.'

' These Lands of the said Sir *Roger Dallison's* were so incumber'd by former Charges, that the said Officers and Creditors of the Ordnance could not raise, by the said Extent thereof, near so much as the bare Interest of the said 9962 l. 4 s. 10 $\frac{1}{2}$  d. Parcel thereof ; and therefore did not conceive how it could give Satisfaction unto them for the said

9962

9962 l. due Debt, long forborne; but that they An. 22. James I. must of Necessity have Recourse to his Majesty 1624. again for their better Satisfaction, according to his Majesty's Covenant contained in the said Lease, made unto them in that Behalf; and yet there was nothing allowed to relieve the poor distressed Lady of the said Sir *Roger Dallison* and her Son; whereupon the now Lord Treasurer, in July, 1621, being then but one of his Majesty's Commissioners for his Debts, was made acquainted by the said *Francis Morrice*, and other the said Officers and Creditors of the Ordnance, of their Intent and Purpose; and, being willing to do his Majesty the best Service he could therein, after divers Conferences, did come to an Agreement with them for their Interest in the said Extents, and to make them Payment of the said 13,062 l. for the same, as follows, *viz.* 1062 l. before the last Day of November following 1621, and the rest by 500 l. every six Months, at and after the Annunciation, 1623: After which Agreement made for the Extents, he not perceiving how he could make any Use thereof, unless he compounded also with such as had the Inheritance and other Estates in the said *Dallison's* Lands, did deal with some of them for the same; and then came to a second Agreement with the said *Francis Morrice*, and the rest of the Officers and Creditors of the Ordnance, to convey to them an Estate, which he then had for nine or ten Years to come, in the Petty Farms of Currants and Wines, of the yearly Value of 1400 l. (and worth 7000 l. and more, to be sold) which he did grant, and they did accept in full Satisfaction of the said 13,062 l. 4 s. 10½ d. and for their Interests in the said Extents accordingly.'

' Not long afterwards, the Lord Treasurer, being desirous to free himself of any further Trouble or Care, by reason of many other the Incumbrances which were upon the said Lands, did, in or about November, 1621, agree with Sir *Arthur Ingram*, to deliver the said Lands, with other Lands th<sup>n</sup> him the said Lord Treasurer, in the Con-

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An. 23. James I. York, unto the said Sir Arthur Ingram, in Exchange  
1624. for other Lands of his, and to give unto him 9000 l.  
in Money, for the compounding and freeing the  
said Estate and Incumbrances, which wete upon  
the said Lands, late Dallifon's, and of a Lease he  
had of one Anthony Meers, of other Lands inter-  
mixt with the said Dallifon's Lands, esteem'd of the  
yearly Value of 400 l. per Annum; of which 9000 l.  
the said Lord Treasurer, afterwards, in February and  
in March 1621, by the Consent of the said Sir Ar-  
thur Ingram, did pay unto Sir Thomas Mounson, Knt.  
for his Interest in Dallifon's Lands, the Sum of  
3000 l. besides the freeing of his the said Sir Thomas  
Mounson's own Lands of the said other Extent, for  
the said 3000 l. and all the Residue of the said 9000 l.  
he the said Lord Treasurer hath paid and satisfied,  
as it hath been required by the said Sir Arthur In-  
gram accordingly; which said several Sums of  
7000 l. and 9000 l. amounting together to 16,000 l.  
are more than the said Lease and Lands are worth,  
at and from the Time of the said Agreement  
for the Exchange, so made between the said Lord  
Treasurer and the said Sir Arthur Ingram: And  
thereupon the Lady Dallifon, and Sir Thomas Dalli-  
fon, her Son, upon a Composition made with them  
by the said Sir Arthur Ingram, did, in February 1621,  
make an Assignment of the said Lease, to certain  
Persons named by the said Sir Arthur Ingram, in  
trust for his Use; and, since the said Agreement and  
that Time, the Lord Treasurer had no more to do  
therein than as the Duty of the Place requires, and  
(as he hath been advised by his Majesty's learned  
Counsel) convenient and fit to be done on his Ma-  
jesty's Behalf: And therefore, as touching the rest  
of the said last Charge, That the Lord Treasurer  
having agreed with Sir Thomas Dallifon, and the Of-  
ficers of the Ordnance, he, to gain, indirectly, and  
by oppressive Means, an Estate which Sir Roger Dal-  
lifon had passed to Sir Richard Smith and Sir John  
Davy, did set on Foot an Outlawry of Sir Roger  
Dallifon's, and thereby dispossessed Sir Richard Smith  
and Sir John Davy, who had been in Possession,  
by

by a Trial at Law, using the Power of his Place, An. 22. James I.  
and Countenance of the King's Service, to wrest

1624.

them out of a Lease and Estate of great Value, the Lord Treasurer saith, The same is wholly mistaken; and that the Truth is, That the said Sir *Richard Smith*, having a Conveyance of all the Freehold Lands which were the said Sir *Richard Dallison's*, in *Scotter*, as a Mortgage for Payment of 1300 l. and the said Sir *John Davy* having an Assignment of the said Lease, as a Mortgage for the Payment of 600 l. by Year, for ten Years, upon a very hard Contract for Money, he the said Sir *Richard Smith*, long before the said Treasurer had any Thing to do with the said Lands or Lease, was dispossessed of Freehold Lands, by virtue of the said Extent, for the King; and, after such Time as the said Lord Treasurer had so bargain'd and agreed with the said Sir *Arthur Ingram*, and had left the said whole Business to him as aforesaid, it was found that the said Sir *Roger Dallison* stood outlawed, after Judgment, at divers several Men's Suits, whereby the same Lease and Interest was in his Majesty; by Means whereof some Difference grew between the said Sir *Richard Smith*, Sir *John Davy*, and the said Sir *Arthur Ingram*, which the said Treasurer used the best Means he could to reconcile; and, to that end, endeavoured to have the same arbitrated and ended by Sir *Thomas Savage* and Sir *Nicholas Forrester*, Knights: But their Travel and Pains therein taking no Effect, after some Suits in the Prerogative Court, the Exchequer, and Common Pleas, between Sir *Richard Smith*, Sir *John Davy*, and Sir *Arthur Ingram*, in Conclusion (by and with the Consent of all Parties) the said Differences were heard and ended by Sir *Henry Hobart*, Knight and Baronet, Lord Chief Justice of the Common Pleas, and by the rest of the Justices of the same Court; by whose Mediation and Order, there is to be paid to the said Sir *Richard Smith* and Sir *John Davy*, in satisfaction of their Estates and Interest in the said Lands and Lease, over and besides other great Sums of Money by them formerly received, the Sum

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An. 22. James 1. Sum of 3000 l. And touching the Charge of the  
1624. Contract, about paying the 8000 l. old Arrears, the  
Lord Treasurer saith, That all the 8000 l. was not  
old Arrears, as is pretended, for that 3,800 l. there-  
of was then newly due by Quarter-Books, for cer-  
tain Quarters ending at *Midsummer*, the next before  
the said Year of our Lord 1621. And also saith,  
That his Promise therein was made before he be-  
came Lord Treasurer; and that Promise was but to  
do his Endeavour to get the 8000 l. paid; the same  
being a just and due Debt owing to about 100 poor  
Families, whose pressing Necessities would have  
forced him, after he came to the Place of Treasur-  
er, to have given them Satisfaction, if he had made  
no such uncertain Promise before; and the said  
Debt was paid at thirteen several Times, by several  
Portions, as Money could be best spared, between  
*March 1621*, and *May 1623*; and the King's Ma-  
jesty was so far from being prejudiced by the Lord  
Treasurer's Dealing in this Bargain, that his Ma-  
jesty was thereby eased from the repaying of the  
said 13,062 l. 4 s. 10*½* d. according to the said Co-  
ovenant: And, to make it appear that no Oppres-  
sion or Power was used in this Purchase, for any  
private Benefit, or otherwise, nor that the same  
was paid for by making of Baronets, and Suits to  
the King, as is pretended, the said Treasurer will  
undertake, and freely offereth, that the Lands shall  
be conveyed again to whom this Honourable House  
shall appoint, upon Payment of the said 9000 l.,  
and reassuring of his said Leases and Interests in the  
said Petty Farms, with Repayment of the Monies  
received upon the same. It being also apparent by  
his Declaration, That if any such Suits, Oppressions,  
or other hard Measure, had been offered touching  
the said Lands or Leale, as is alledged in the said  
Charge, the same were no Way done by the Lord  
Treasurer, or by his Privity or Direction, or whilst  
the said Lands remained in his Hands, which was  
not for above five Morths; to as the same can in  
no Manner concern the Lord Treasurer, neither  
doth

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doth be know of any Thing done therein by any An. 22. James I. other, but what hath been just and lawful.' 1624.

' And as to the Baronets, the same nothing at all concerneth this Matter; but was a Grace of the King's Majesty, (upon the Suit of a Nobleman, who was assisted by the Lord Treasurer) which he was pleased to confer upon Sir *Thomas Mounson*, in regard of the Loss of his Office of Hawkes; and the same taking no Effect, his Majesty, upon the said Sir *Thomas Mounson*'s late Petition, was pleased, in lieu of the Baronets formerly intended him, to grant another Suit for the compounding with certain of the Copyholders in *Wakefield*, for the Value of 50 l. by the Year; whereof as yet he hath received no Fruit at all.'

*The H U M B L E A N S W E R of the said L O R D T R E A S U R E R to the Addition of his C H A R G E received from the Most Honourable Court of the Higher House of Parliament, on Thursday the 29th of April, 1624.*

**T**O that Part which concerns him, as he was The Lord Treasurer's Answer to the additional Articles of his Charge. Master of the Great Wardrobe, the said Treasurer saith, ' That he held that Office for the three Years mentioned in the Charge, and that, within that Time, he did receive the ordinary Assignment of 20,000 l. *per Annum*, or thereabouts; whereupon, he conceives, he did no ill Service to the King when he did reduce the vast Charge of that Office to 20,000 l. *per Annum*; and, by three Years Experience, to shew his Majesty the Means how that 20,000 l. might be again reduced to 12,000 l. which, he conceives, is no Argument that he hath brought that Place to any Disorder or Confusion, as, in a Generality, is objected.'

' It is true that he made no Account, for his Time, neither for the Wardrobe, nor for the Queen's Funeral; neither was there any Cause why he should so do, for that, by his Majesty's Contract with him for the Wardrobe, he was to discharge the ordinary Charges thereof for 20,000 l. at his

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Mr. ~~James~~ James's own Hazard ; and, for the said Funeral, having  
1624. Warrant, by Privy Seals, to receive 20,000*l.* he received but the Sum of 13,500*l.* and yet saved some Part thereof, besides what he yearly saved upon the ordinary Allowance of the Wardrobe : With all which Savings he, from Time to Time, truly and particularly, acquainted his Majesty, not being willing to gain so much by the same as he found he did, without his Majesty's Privy and gracious Allowance ; who, being rightly and truly informed of all the Particulars, did, upon the said Lord Treasurer's voluntary surrendering of that beneficial Contract for the Wardrobe, for Advance-ment of his Majesty's Service, having therein an Estate for his Life, grant him a general Release and Pardon, by Indenture under the Great Seal of *England*, for all Matters concerning the said Office of the Wardrobe and Funeral aforesaid.'

He further saith, ' That, in the Time of his being in that Office, he paid divers extraordinary Sums, which were not within his Bargain, upon several Warrants and Privy Seals ; as, 3000*l.* to the Earl of *Carlisle*, about 2000*l.* for new-furnishing *Ely* House for the *Spanish* Ambassador, above 1000*l.* for a new rich Barge-Cloth, and other extraordinary Disbursements of about 1000*l.* more ; for all which, amounting to 7000*l.* or thereabouts, he never yet received, or demanded, any Allowance ; and, if any Man hath any Thing owing to him, in the Time that the said Lord Treasurer was Officer, (as he is well assured there is none, except some small Remains upon the Foot of some private Reckonings) the same are no way chargeable upon the King ; the said Lord Treasurer being their proper Debtor, and bound, by that Indenture, to discharge the same, which he hath been ever ready, upon their Demand, to do accordingly ; it being acknowledged by the Creditors of the Wardrobe, that they have been better paid and used in his Time, than either before or since. And, concerning the Charge, of his not duly serving the Lord Chamberlain's Warrants for Supplies, it may well be

be that some few Parcels, in some Warrants, which An. 22. James I.  
could not then be suddenly provided, were, upon 1614.  
that Occasion, or by some Fault or Negligence of  
his Servants, trusted in that Business, left unsur-  
ved: But that neither hath been, is, or shall be, any  
Loss to the King; for he acknowledgeth it to be  
just and fit, that he should provide and furnish the  
same at his own Charges; tho' the Neglect of that  
little is no great Matter, considering he has disbursed  
so much for his Majesty in Extraordinaries, as afore-  
said, for which he never yet had any Allowance.'

' To that Expianation of the former Charge,  
concerning his not repaying the Merchants the Im-  
posts due unto them, upon the Exportation of Su-  
gars formerly imported, according to his Majesty's  
Letters Patent, of the 5th of *September*, 1610,  
the Lord Treasurer saith, That the Usage in that  
Particular is such now, as hath been ever since the  
Impost was first laid, without any Alteration by  
him, or any for him, in his Time; neither did any  
Merchant bring his Certificate, and make his De-  
mand for that Allowance, according to the Form  
prescribed by these Letters Patent, as the Lord  
Treasurer is informed by those that farm the Im-  
posts of him: And therefore there could be no De-  
nial when there was no Demand made. And, be-  
sides, this is so far from being a Matter of Benefit  
to the Lord Treasurer, that the Farmers of the Im-  
post under him, (who should have that Profit, if  
there be any) have been, and are willing to give  
the Merchants Content in their Desire, if they will  
petition his Majesty, and sue out a Privy Seal to  
warrant it; without which, it hath ever been un-  
derstood, it could not be done in respect to the King's  
Interest therein, and in regard it never hath been  
allowed heretofore.'

' All which the said Lord Treasurer doth aver  
to be true in all Points, and shall be ready to justify  
and maintain the same, in such Manner as this Ho-  
nourable Court shall award.'

MIDDLESEX.

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An. 22. James I.  
1624. After these Affairs were all read, the Lords received a Message from the Commons, along with five Bills, importing ‘ That they desired a Conference with their Lordships, on the Subject of two other Bills, then before them ; and, at the same Time, they presented a Petition to the House from divers Merchants, whose Names are thereunto subscribed, containing a Complaint against the Lord Treasurer, for an Imposition on Hops ; which Complaint they humbly referred unto their Lordships, and compared the same with the Imposition laid on French Wines, even when their Merchandise was in the River of Thames : And affirmed that this had doubled the Oppression on the Merchants ; for that the Archduchess, out of whose Country the Hops came, did thereupon lay new Impositions upon the Manufactures of this Land. Lastly, The Commons conceive, that this new Imposition on Hops was laid, without any other Warrant than the Lord Treasurer’s Letter.’

This Petition from the Merchants was ordered to be read and was contained in these Words :

To the Honourable Assembly of the Commons  
House of Parliament.

The HUMBLE PETITION of sundry MERCHANTS  
whose Names are here under subscribed,

The Merchants  
Petition against  
him.

MOST humbly shew, That whereas, in the Reign of the late Queen Elizabeth, continually, and untill the second Year of the King’s Majesty’s Reign that now is, Hops were rated for the Custom thereof at Twelve pence per every Hundred Weight. Afterwards, in the Time when the Earl of Salisbury was Lord Treasurer, there was imposed on Hops Six-pence upon every Hundred, which was done by Consent of the Merchants ; which said Custom and Impost hath continued so untill October 1622

At the Time, when your Petitioners, and others, had brought into this Kingdom, and into the River Thames, great Quantities of Hops, the now Lord Treasurer wrote his Letter to the Custom House,  
That

That no Entries of any Hops should be taken till further Order from him; so that your Petitioners Hops lay long in Ships and Lighters, to their great Charges, and Damage of the said Hops; which was done without your Petitioners Knowledge, they nothing mistrusting any such Composition; so that before your Petitioners could be suffered to take up their Goods, they were forced to pay ten Shillings for every Hundred of Hops, over and above the Duty and Impost aforesaid.

That divers Strangers of Flanders, and others, have received up their Goods upon Bonds, by reason of the Archduchess's Ambassadors; but divers of them have not yet paid their Monies, nor entered to pay, as they themselves have given forth in Speeches; notwithstanding the Petitioners, most of them, were forced to pay in their Monies, without any Favour, to their great and intolerable Loss and Hindrance; and others have entered into Bonds for the same, which are yet in Force.

That, by reason of the said Impost, so exacted from the Petitioners, and others, as aforesaid, there was a great Impost laid on in Flanders, in the Archduchess's Country, from whence the said Hops came, upon Fustians and other of our native Commodities; which have been to the great Loss of the Petitioners, and to the great Hurt and Prejudice of the Common-Wealth in general, and of no Benefit to his Majesty for the present; for that, since this great Imposition, there hath not come hither the twentieth Part of those Commodities as formerly.

The Petitioners humbly intreat the Honourable Assembly to take Consideration of the Premisses, and to be a Means unto his Majesty that the said Petitioners may be repaid the said Money so exacted; and that the Imposts upon the Hops as aforesaid, which are still continued, may be reduced unto the former Rate of Eighteen-pence upon every Hundred Weight of the said Hops; whereby your Petitioners may be the better enabled to continue their Trade, which otherwise they must of Necessity desert. And further, that their Bonds, formerly entered into, may be re-delivered unto them to be cancelled.

"Pay:

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Ad. 22. James I. May 3. After some other Business done by the  
1624. Lords, another Petition from the Lord Treasurer  
was exhibited to that House, and read in these  
Words;

To the Right Honourable Assembly of the Lords  
Spiritual and Temporal in the Higher House of  
Parliament.

The Lord Tre-  
surer's Petition  
for Copies of the  
Depositions ag-  
ainst him.

**T**HE Lord Treasurer doth herewith most humbly present to your Lordships such Interrogatories, concerning the rest of his Charge, as he humbly desires his Witnesses may be examined upon; as well those formerly delivered to the most Honourable House, as those whose Names he now humbly presenteth to that Purpose hereunder written.

And since your Lordships have appointed Friday the 7th, peremptorily, for the Hearing of his Cause, his most humble Suit is, To know the Pleasure of this most Honourable House, concerning the Copies of the Depositions, if he may receive them in some convenient Time before, whereby to prepare himself for his just Defence against the Day appointed.

### MIDDLESEX.

The Names of the Witnesses annexed, and the Interrogatories being also read, it was ordered, That the Lord Treasurer should have Copies of all Depositions, taken on his Part, two Days before the Hearing. The Lord Keeper moved the House 'To consider of the Lord Treasurer's former Petition for Copies of the Depositions concerning him, which were denied because they were unseasonably prayed, his own Witnesses not being then examined; and whether their Lordships will not now think it fit that the Lord Treasurer shall have Copies of all Depositions before his final Answer; and the rather, because this may prove a leading Case to Posterity.'

The Lords referred the Consideration thereof unto the Lords Committees for Privileges, &c. who being withdrawn upon it, and returned, they gave in their Answer, as fit to be entered for an Order.

That

That in all Cases it is thought fit and just, that An. 22. James I.  
Publication be made a reasonable Time before the 1624.  
Party accused make his final Answer; and that, af- Which is grant-  
ter Publication, he may have Copies, freely, of all ed.  
Witnesses, as well against him as for him.

May 4. This Day, amongst other Busines, his Royal Highness the Prince signified to the Lords,  
‘ That his Majesty’s Pleasure was, the whole House should wait on him, To-morrow at Two,  
‘ in the Banqueting-House at Whitehall.’ And,

May 7. The Lord Keeper, removing from his Place to his Seat on the Earl’s Bench, made a Report to the Lords of his Majesty’s Speech to them, on Wednesday, the 5th of May, in the Afternoon: But because the said Speech, he said, was inimitable, his Lordship desired that he might read the same, which he did; and afterwards the Clerk read it also in these Words:

His MAJESTY’S SPEECH at Whitehall, to the Upper House of Parliament, May 5. 1624, concerning the LORD TREASURER.

MY LORDS!

Of Mercy and of Judgment both, my Lords, my The King’s  
Speech shall be unto you. There is a great Officer of Speech to the  
mine shortly to come before you, accused of divers Lords concerning  
Misdemeanors. I am the Judge in whose Room you the Lord Tre-  
are to exercise Judgment; for as I am under God surer’s Trial.  
in this Throne, so you are under me: Therefore I  
have been desirous that I might open myself unto you,  
anent this Matter and Occasion; and, as I have once  
said in a Parliament before to you, so will I promise  
to shew you, as in a Christal, my Heart out of my  
Mouth, in such sort as no false Heart or Tongue  
shall be able to blemish what I shall represent unto  
you (e).

It is my Judgment, next under God, which you  
are to exercise at this Time; and therefore, as a  
Judge instructs the Jury before the Prisoner departs  
from the Bar, so it becomes me to tell you how to carry  
your-

(e) Anne Regn: 5. Vol. V. p. 185.

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An. 22. James I. yourselves in this great Busines; and the Cause here-  
of is this, because I am bound in Conscience to be care-  
ful of your Carriage herein; for, if your Judgments  
should fall contrary to my Approbation, I protest to  
God it would be a great Mſery to me, and a greater  
Grief unto your Hearts.

Before the last Parliament, I never saw any Pre-  
cedent of this Nature: In the last, against another  
great Officer of mine there needed no Admonition from  
me, because ye had Reum Conſitentem; in this the  
Party stands upon his Justification; and therefore ye  
have more Need to take and examine it well. There  
is no Doubt at all of your doing Justice; you are most  
of you nobly born, the rest are noble by their Places;  
you are the most honourable Jury of England; nor do  
I intend further to instruct you, than to give your  
Eyes, many Eyes see more than one, ſome Light into  
this Matter. No King is the worse for the Advice of  
his Council, nor ſhall you be for receiving my Advice  
and Inſtruction.

In all Matters of Tryal where are Denials, two  
Things are ſpecially to be conſidered, the Verity of the  
Fact and Greatneſſe of the Guilt.

For the firſt, You cannot be too diligent in the  
Search of the Verity of the Fact; for Satius est Reum  
dimittere quam Innocentem dampnare.

For the ſecond, You are to conſider duly the Quality  
of the Offence; for, if your Punishment be far infe-  
rior to the Crime, it is an Invitation to commit new  
Offences. And, if it be over and above the Offence,  
it is plain Injuſtice and Tyranny: Therefore your  
Punishment muſt be ever bounded in Measure and  
Moderation, according to the Quality of the Offence.  
You will do, I am ſure, what a Jury doth, for you  
have taken a greater Oath than they; you have ſworn  
upon your Honour, to me; by your Conſcience, towards  
God.

And here I ſhall give a Touch of two Things; firſt,  
I ſhall ſpeak of the Person of the Man, and then of  
my Opinion of the Courſe which you are to hold in your  
Judicature at this Time.

For

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For the Person of the Man ; the first Acquaintance <sup>An. 22. James 1.</sup> ~~that~~ I had with him was by the Lord of Northampton, (who is with God) who often brought him unto ~~me~~ a private Man, before he was so much as my Servant. He then made so many Projects for my Profit, that Buckingham fell in Liking with him, after ~~the~~ Earl of Northampton's Death, and brought him into my Service. For I profess it here openly, and I am glad he is not by to hear me, That, besides him, I never saw young Courtier that was so careful for the King's Profit, without any Respect, as Buckingham was. He found this Man so studious for my Profits, that he back'd him against great Personages and Mean, without sparing any Man. Buckingham laid the Ground and bare the Envy ; he took the laborious and ministerial Part upon him, and thus he came up to his Preferment.

I was deceived if he was not a good Officer ; he was an Instrument, under Buckingham, for Reformation of the Household, the Navy and the Exchequer ; Buckingham setting him on, and taking upon himself the Envy of all the Officers. And he himself protested many a Time to me, That he had not been able to do me any Service, in the ministerial Part, if Buckingham had not back'd him in it. Hereupon I thought him the fittest Man for this Place ; he had seen before the Abuses in the Exchequer, in the Navy, and in a thousand other Particulars.

I must therefore put you in mind of one Thing, and Justice forceth me so to do : He cannot but have a many Enemies ; all Treasurers, if they do good Service to their Masters, must be generally hated, as Mons. Rosney was in France. And a Treasurer cannot oblige me more, than when I find Suitors beg from me, and pray me not to send my Reference to the Treasurer, because he gives them no good Answer.

Two Kinds of People are continually rated in Court, Treasurers and Ustlers ; because this latter must of Necessity put Disgraces upon Men, and the Treasurers must keep the King from Importunity of many Suitors. I pray Judge not by the Affections of the People, nor by the Hatred of the People ; you must avoid both

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An. 22. James I. these ; and therefore Judges of old were painted blind.

1624. The second Thing I recommend to your Consideration is, That you look upon a sound Trial, so that the Offence be clear ; and, in the next Place, when you find a Cause of Punishment, let it be within and not without the Limits of his Desert.

Now I shall recommend to you some Generals ; not for his Respect or Particular, but my own, my Son's and Posterity's, and your own, my Lords, whose Part God knows when it may fall unto. Let no Man's particular Ends bring forth a Precedent, that may be prejudicial to you all and your Heirs after you ; Precedents there are none of many Years, before this and the last Sessions. The Informers are the Lower House, and the Upper House are the Judges. If the Accusation come in by the Party wronged, then you have a fair Entrance for Justice ; if by Men that search and hunt after other Men's Lives, beware of it, it is dangerous ; it may be your own Case another Time. No Man can stand upright before God and Man, if every Act of his should be enquired after and hunted out by every Man, though it concerns him not.

The main Ground in an Information is this, The Party complaining should say, This Wrong he hath done me ; if he hath corrupted Judicature in Judgment, or taken a Bribe to the Hurt of the Innocent ; if, in Extortion, he hath wrested, by Violence, from the Party ; here is a just Ground for an Accusation. But for every busy Fellow to turn Inquisitor is a Thing insufferable ; how far it falls thus, in this Particular, I know not. Bribery, as I would define it, is where a Judge receives a Reward against the Innocent ; Extortion is done, when Money is wrung from the Subject by the Greatness of a Man's Power, and by the Denial of Justice ; Misdemeanor is, when a Man abuseth his Place, and oppresseth the poor Subjects. I have discussed this Point, and I do not doubt but, when he comes before you, you will hear him with Temper and Patience.

Now

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Now, my Lords, I speak for Justice; if this Party have done so, after such an Example shewed the last Session, his Fault is double; for he came in upon a Reformation, and he discovered the Corruptions of others. This I would say to you, if I was to die this Hour: Errors by mistaking, God forbid that you should be rigorous in censuring them; but Errors that are wilful, spare them not.

Some curious Men may say, peradventure, he might, in some Points, have done better; but this is not criminal in him: But if, by Deceit and Cozenage, by helping himself, he hath hindered my Estate, he is worse than a Devil. Treasurers cannot be barred from sueing, and the King's Liberality no Man can controul. If he hath helped himself, with the King's Loss, I speak not for him.

Lastly, there are divers Things laid to his Charge, which were done with my Knowledge and Approbation; let him bear no Charge for that, for that is mine, and I must bear it. For if you question him for any such Thing, you punish me; if any Thing touches upon him in that Kind, either meddle not with it, or stay and know the Verity from me. I love my Servants, God is my Witness, but it is only for Virtue's Sake; and he is an unhappy Master that doth not love a faithful Servant. But, if there appear in any of them Falshood and Treachery, and Deceit under Trust, my Love is gone. If, of an Angel, he become a Devil, I will never excuse him: I will never maintain any Man in a bad Cause.

The Report of the King's Speech being made, which seems to serve as an Introduction to the Trial, the Lord Keeper observed further, 'That his Majesty said, he did not deliver this Speech out of any Suspicion of their Lordships, but only in Discharge of his Duty and Conscience.' Which the House ordered to be entered.

The Lord Treasurer being to appear this Day at the Bar, it was first agreed, That when his Lordship came he should kneel. And being brought to the Bar, by the Gentleman Usher, not having his

An. 22. James I. Staff in his Hand as Lord Treasurer, he kneeled  
 1624. until the Lord Keeper willed him to stand up.  
 The Lord Treasurer brought to the Clerk's Table, and opened the Charge against him to this Effect:

Where the Attorney General opens the Charge against him as Master of the Wardrobe.

**T**HE Commons of England, being the general Inquisitors of the Sores and Grievances of the Kingdom, have presented their Complaint against this great Lord and Officer; whereof, and of other Misdemeanors, their Lordships have before taken Cognizance. That he is to charge him, the Lord Treasurer, with Violation and Breach of Trust, in defrauding the King who trusted him, and with Bribery and Oppression.

That he would begin with his Lordship's Misdemeanors in the Office of the Wardrobe; and shew, That, heretofore, that Office being very expensive to his Majesty, by reason of the Charge and Provision of the King's Majesty, for the Queen, for Prince Henry, the Queen of Bohemia, and the Prince's Highness that now is, he, the said Lord Treasurer, inform'd his Majesty of the Greatness of his Charge, and that he would save his Majesty a great Part thereof; whereupon he procuted the Office to himself; but he stood charged with nothing, save the ordinary Provision for his Majesty.

He is made Master of the Wardrobe, Sept. 14. Anno 16. Jac. Regis.

And, Dec. 26. Anno 18. Jac. the King reciting, 'Whereas we had certain Notice that Sir Lionel Cranfield, in the Execution of the said Office, hath so directly and carefully performed the said Trust, in that Behalf committed to him, as that, by the small Time of his Service there, great Sums of Money have been, and are likely, yearly, to be abated, in comparison of former Expences therein for some Years past; and also that, by the Continuance of his Care and good Endeavours in the said Service, our former great yearly Expence of the Wardrobe hath been reduced within the Sum of 20,000 l. and yet with the

' Main-

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• Maintenance of the former State thereof : And An. 22. James I.  
• that of 20,000 l. assign'd for the Queen's Funeral, 1624.  
• he had received 15,500 l. and no more ; and  
• that the said Sir Lionel, by his discreet and careful  
• Performance of that Trust, hath, with the said  
• 15,500 l. discharged the said Funeral honourably,  
• and in such Sort as was requisite, and hath brought  
• the said Charge within the Sum of 15,500 l. and  
• yet there were black Cloths and Stuffs to the Va-  
• lue of 2000 L or thereabouts, and some Part also  
• of the said Money saved : The King, thereupon,  
grants him all that he had saved of 20,000 l. for the  
Year ended at *Michaelmas*, 1619, and for another  
Year ended at *Michaelmas*, 1620, the ordinary  
Charges deducted ; for which Sums he agrees to  
discharge the ordinary Charge of the Wardrobe ;  
and the King grants the black Cloths, Stuffs, and  
Monies unto the said Sir Lionel, remaining of the  
said 15,500 l. for the Funeral, for his Disburse-  
ments for the Ordinary of the Wardrobe, for which  
he was to account ; but not for the Surplusage  
which he saved of the 20,000 l.'

• Dec. 27. Anno 18. Jac. the King makes the  
same Recital, *ut supra* ; and, having given the  
Surplusage for two Years before, doth now con-  
tinue it for Life, yearly at *Michaelmas*, upon his  
Account, for the Wardrobe, the necessary Disburse-  
ments deducted, and gives him the Surplusage with-  
out further Account.'

• Jan. 11. Anno 19. *Jacobi Regis*, the Lord  
Treasurer surrenders his Patent.

*Note*, He got, in these three Years, as shall ap-  
pear hereafter, 8000 l. per *Annum*, and had  
6000 l. given him at his Farewell. *In toto*,  
30,000 l.'

• Jan. 18. Anno 19. *Jac. Regis*, the King par-  
dons him all Sums of Money received by him for  
the Funeral or Wardrobe ; and he covenants to  
discharge the King of such Debts as were due by  
him for the Wardrobe. By this it appears how  
the King trusts the Lord Treasurer, being Master

An. 22. James I. of the Wardrobe, and what Expectation the King  
 1624. had of his extraordinary Service ; that the Expences  
 should be much abated and diminished, and yet the State of the Wardrobe maintained by competent and sufficient Supplies, and that what the Supplies were, should appear upon Account ; and thereupon the Account was directed by the Patent.'

' And now see, my Lords, how the Wardrobe is brought into Confusion, and how far it is from the old State thereof ; which, by the Patent of my Lord, should have been maintained.'

' And, in this, will appear unto your Lordships plainly,

#### Breach of Trust and Fraud.

' The Warrants to be served for the Wardrobe, came from my Lord Chamberlain, from the Master of the Household, and from the Groom of the Stole.'

' The Warrants and Emptions thereupon were usually, heretofore, entered in the Clerk of the Wardrobe's Books, that the Provisions and Particulars supplied might appear ; but, in my Lord Treasurer's Time, no Warrants are brought in or entered ; no Emptions enter'd, nor Book of Expences kept by the Clerk. as it ought to be.'

' The Clerk should have surveyed the Parcels ; but could not, thro' my Lords Default ; neither is there any Account made as ought to have been : And all this is contrary to the Patent, to the Prejudice of the King, and of the Officers and Workmen in the Wardrobe. And, to the end his Proceedings in that Office might not be discovered, this ensued further upon it, That the Warrants were served short, and many not served at all ; those that were served, were base and ill, stufsted with great Delay and long Suit ; and yet the Suitors for the same were slighted by my Lord and his Officers.'

' And Altho' my Lord had his Money imprest to him, yet he made slack and slow Payments, with great Abatements of the Prices formerly allowed. And, at my Lord's departing from the Office, in January, Anno 19. Jac. he gets a Pardon for

for all he hath received, without any Account, and An. 22. James I.  
obtained a Lease of the Sugars, for a Recompence      1624.  
of his Surrender of that Office.'

Mr Sergeant *Crew* having thus far opened the Charge; the Clerk, by his Direction, read the Depositions of Witnesses taken here to prove the same, *viz.*

*The Examination of Sir BEVIS THELWAL, Knt.*  
*taken the 26th of April, 1624.*

*He deposeth to the first Question, ‘ What Money Depositions and Examinations of Witnesses thereupon.*

‘ was assured for Provisions for the King’s Service  
‘ in the Wardrobe, ordinary and extraordinary, du-  
‘ ring the Time the Lord Treasurer was Master  
‘ there? I say, that I cannot certainly inform your  
‘ Lordships; for that the Warrants for the Empti-  
‘ ons, that were usually entered in the Clerk of the  
‘ Wardrobe’s Book, were not brought in at all by the  
‘ said Master of the Wardrobe, during the Time of  
‘ my Service in the said Office, as should have been.

‘ For the second Part of the Charge, Whether  
‘ any Thing were put upon the Extraordinary,  
‘ which was heretofore used to be furnished upon  
‘ the Ordinary? I cannot tell; for that there was  
‘ no Account made by the said Master of the Ward-  
‘ robe, (which should have been done) tho’ he was  
‘ very often solicited by me so to do, and seemed  
‘ not to believe me, that he, by the Course of his  
‘ Office, ought so to do; for that, as he said, he  
‘ had agreed with the King’s Majesty, at a certain  
‘ Rate, to furnish the Wardrobe.

‘ For comparing the Expences of the said Lord  
‘ Treasurer, for Ordinary and Extraordinary, with  
‘ the King only, with the Expences of former  
‘ Times, I cannot make any direct Answer; for  
‘ that the said Master made no Account as he ought  
‘ to have done.

‘ To certify how the King’s Houses were fur-  
‘ nished during the Time the Lord Treasurer was  
‘ Master of the Wardrobe, and how much worse  
‘ than

An. 22. James I. 1624. ‘ than in former Times, I cannot certainly inform your Lordships.

‘ To certify the Charge of the Funeral of Queen Anne, I cannot inform your Lordships thereof ; for that it was before my Time, and there was no Account made thereof, nor Entry thereof, as heretofore was wont to be.

‘ To certify whether all the Provisions of the Wardrobe, during all the Time the Lord Treasurer was Master thereof, are paid, I heard that divers of the Creditors are not paid ; but how much is behind will best appear by the Examinations of the Creditors.

‘ For the Abuse of the Wardrobe, committed during the Time of the Lord Treasurer being Master there, I say, That he hath altered the Frame and Course of that Office, to the Prejudice of the King’s Majesty, and the Artificers and Creditors that furnished the said Wardrobe ; and, as I conceived, to the end his Proceedings in the said Office might not be discovered.

‘ And where there was some Doubt made by the said Master, of some Things concerning the said Office, I did endeavour to give him Satisfaction therein, but could not without the View of some Books of Accounts of the said Office, which, by his Direction, I brought unto him long since : These he commanded me to leave with him to peruse ; but I could never have them again, tho’ myself, and my Servant in that Office, very often attended and sollicited his Lordship for them.

‘ For the Provisions to be employed in the said Office, by setting on Work of Arras-Men and Taylors, the antient Use of that Office was, That the Clerk should take Account of all that was brought in, and keep the same, and see it employed for the King’s Service by the said Workmen, and see what Time they began their Work and left it ; but the said Master took away the Key of that Room where those Things were kept, and committed the same to one Henry Ayres, his Servant, who

‘ who kept the same during the Time of his be- An. 22. James I,  
 ‘ ing Master there; so as I could not perform the 1624.  
 ‘ Service I ought to have done in that Behalf.  
 ‘ For the Abuses of the Queen’s Funeral, I can  
 ‘ say nothing of my own Knowledge, for it was  
 ‘ before my coming into the Office; but ~~had~~  
 ‘ heard that the Cloth that was provided by the said  
 ‘ Master was bad, and much complained of by  
 ‘ many.

BEVIS THELWALL.

Jo. Lincoln, C. S.	Theo. Howard.
G. Cant.	Fra. Russell.
Tbo. Cov. & Litch.	Henry Danvers.
Artbur Bath & Wells.	Robert Spencer.

*The Examination of CHARLES STANLEY, Clerk  
 to the said Sir Bevis Thelwall, taken the same  
 Day.*

‘ An Estimate of the yearly Liveries paid by  
 ‘ the Lord Treasurer, with Fees and annual Pen-  
 ‘ sions, with the Arras-Menders and other Work-  
 ‘ men’s Pay, yearly payable out of the Great  
 ‘ Wardrobe.

	l. s. d.
‘ Liveries by virtue of Letters Patent	53 0 4
‘ Liveries by virtue of Warrants	} 2867 17 6
‘      Dormant	
‘ Fees, Vestments, and annual Pen- ‘ sions	} 350 6 0
‘ Arras-Menders Pay, and other ‘ Workmen’s Wages, with the	} 540 0 0
‘ Stuff for one Year.	
Sum Total	<hr/> 3811 3 10

‘ As to what Monies was otherwise disbursed by  
 ‘ the Lord Treasurer, for and towards the Charge  
 ‘ and Expence of the Provisions of the Great  
 ‘ Wardrobe, I know but in part; but the Credi-  
 ‘ tors can best satisfy what several Sums they have  
 ‘ received; and his Servants, John Baron and Mr  
     ‘ Catchmay

An. 22. James I. 1624. ‘ Catchmay can best tell what Sums of Money were received for the Provisions of the Great Wardrobe, and what was paid out ; for they received all, and paid all, for ought I know.

‘ What Warrants he received I know not, nor what was furnished for them, either for ordinary Service or extraordinary ; but his Man Colbeck should best certify who received the Warrants, and made the Provision of those Things that were served.

‘ For the furnishing of the King’s House I know nothing ; but the Keepers of the several Standing Wardrobes, and the Officers of the Removing Wardrobe, can best certify what was served by him.

‘ For the Funeral of the late Queen Anne, as I have heard, he had an Allowance of 20,500 £. which my Lord Brook, as I suppose, can best certify, who was then Chancellor of the Exchequer.

‘ And of 13,100 £. or near thereabouts, I know was, by him, disbursed for the said Funeral, and more I know not of ; for that Part of the Provisions was provided by himself and Servants.

‘ For the Provision of Canvas, Leather, and Thread, with other needful necessaries for the mending and lining of rich Hangings of Arras and Tapestry, which came from any of his Majesty’s Houses to be mended or lined in Places defective : For the Charge thereof I can say nothing for these three Years ; for, when he came first to be Master of the Great Wardrobe, he caused one Henry Ayres, his Servant, wrongfully, to take away the Key of the Store-house, wherein Provisions of Canvas, Leather, Thread, and other Necessaries, were kept, from the then Clerk of the Great Wardrobe ; who yearly, with his Lordship’s Predecessors, ever had the Custody and delivering out of all Necessaries, and kept an Account of what Suits of Hangings came to be mended, and what Necessaries was needful to be expended ; and as Ayres had the serving thereof,

‘ in

\* in all this Time, so that an Account thereof could An. 22. James I.  
\* not by the Clerk be kept, according to the an- 1624.  
\* tient Custom of that Office, the Lord Treasurer  
\* had digress'd from the antient Customs of that  
\* Office, and furnished Things himself, and served  
\* them without the Privity of the Clerk ; who,  
\* according to antient Custom, should have the  
\* View, with the rating and prizing of them, with  
\* an Allowance of all Necessaries served for his  
\* Majesty's Use, to be demanded by the Creditors,  
\* by virtue of Warrants sign'd by the King's Ma-  
\* jesty ; which my Lord Treasurer paid them  
\* without Warrant, by the Creditors own Bills,  
\* contrary to the antient Custom of that Office ;  
\* and which, till this Time, was ever, by all for-  
\* mer Masters of the Great Wardrobe, observed, by  
\* having Warrants drawn every Half-Year.

CHARLES STANLEY.

G. Cant.	Theo. Howard.
Jo. Linc. C. S.	Fra. Russell.
Tho. Cov. & Litch.	Henry Danvers.
Arthur Bath & Wells.	Robert Spencer.

*The Examination of JOHN BARON, taken the 27th  
of April, 1624.*

The said Examinant saith, ' That while the now Lord Treasurer was Master of the Wardrobe, this Examinant did keep a Book, wherein were entered his Lordships Receipts and Payments, as well of such Things as concerned the Wardrobe, as for such as did otherways concern his Lordship. And saith Because it was conceived his Lordship held that Office upon Certainty, therefore there was no Distinction made, nor certain Account kept of that which concern'd the Wardrobe, divided from his Lordship's other Business. And saith That the said Book is now in the Lord Treasurer's, and not in this Examinant's

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At. 22. June 1. 1624. man's Custody; nor hath been in this Examinate  
man's Custody for two Years and a Half past.

JOHN BARON.

G. Cant.

Robert Spencer.

H. Mandeville.

W. Say & Seal.

Tho. Wentworth.

*The Examination of RICHARD COLEBECK, taken  
the 26th of April, 1624.*

The said Examinant saith, 'That he served the Lord Treasurer in the Business of the Wardrobe, and that in all the Time his Lordship was Master of the Wardrobe, there were no Accounts made by his Lordship, nor kept for him, of the Expences of the Wardrobe, neither were there any Book kept, wherein were entered the Expences of the Wardrobe; the Reason whereof was, because this Examinant heard his Lordship was not to hold that Place upon Account; but, saith this Examinant, did buy Provisions of Mercers and others for his Lordship, and then delivered such of them as were to be delivered for the King's Use into the Wardrobe; and when the Mercers and others brought their Bills, he, this Examinant, presented the same to his Lordship, who took Order for their Satisfaction. And saith, He thinketh that some few are yet unsatisfied in part; as, namely, Mr. Henslow, Mr. Ferrers, Mr. Latham; but doth not remember any others.'

RICHARD COLEBECK,

G. Cant.

Robert Spencer.

Tho. Cov. & Litch.

W. Say & Seal.

Arthur Bath & Wel's.

Theo. Howard.

Tho. Wentworth.

'To prove the Defects in serving of Warrants, a true Note of such Wardrobe Stuff, as remaineth unserved, by the Right Honourable the Earl of Middlesex, Lord Treasurer of England, in the Time of

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of his being Master of the Great Wardrobe; which Am. 22. June 1.  
Stuff was then commanded by Warrants for his 1604.  
Majesty's Service, and are now much wanting;  
for the which his Lordship is to be answerable unto  
his Majesty.'

*Removing Wardrobe, per Warrant, dated in June,*  
*1620.*

' <i>Imprimis, Chairs of Velvet, garnished</i>	}	ij
with Gold Lace and Fringe		
' <i>Item, Cushions of Velvet suitable</i>	iiij	
' <i>Item, High Stools suitable</i>	inj	
' <i>Item, Counter Points of Tapestry</i>	xxxiiij	
' <i>Item, Bed-Ticks, and the new-drawing</i>	}	xvij
of them, with Augmentation of Feathers		
' <i>Item, One Pair of Milan Fustians for</i>	}	ij
the King's Bed		
' <i>Item, One Pair of Cloth Blankets</i>	ij	
' <i>Item, Tenter Hooks</i>	ciiij	
' <i>Item, Foot Stools suitable</i>	ij	
' <i>Item, Hammers</i>	xvij	
' <i>Item, Writing Books</i>	ij	
' <i>Item, Reams of Writing Paper</i>	vij	
' <i>Item, Black Jacks</i>	ij	
' <i>Item, Brass Candlesticks</i>	iiij	

JOHN COTTON.

*Removing Wardrobe, in June 1621, per Warrant.*

' <i>Imprimis Window Curtains of Damask</i>	v
' <i>Item, Small Carpets of Turkey making</i>	xix
JOHN COTTON.	

*Standing Wardrobe, Hampton Court, per Warrant,  
dated January 1620.*

' <i>Imprimis, Four Pair of Fustians for the</i>	}	vij
King's Bed		
' <i>Item, Quilts of Holland and Fustian</i>	}	iiij
filled with Wool		
	Item,	

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<i>An. 22. James I.</i>	<i>Item, One Pair of large Blankets for</i>	<i>the King's Bed</i>	ij
<i>1624.</i>			
	<i>Item, Counter Points of Tapestry</i>	xxx	
	<i>Item, New Beds of Brussels Tick, to be</i>	<i>filled with Feathers</i>	xxx
	<i>Item, Pillows of Down</i>	xv	
	<i>Item, Pillow-Beers</i>	xv	
	<i>Item, Bare Hides of Ox Leather</i>	ijij	

JOHN WINYARD.

Theobalds, per *Warrant*, in May 1621.

<i>Item, Small Carpets of Turkey making</i>	xx
<i>Item, Traversies of Crimson Taffety</i>	ij
<i>Item, Necessary Stools of Velvet to be</i>	<i>garnished with Fringe, and Lace of</i>
	<i>Gold and Silk</i>
<i>Item, Window Curtains of Silk</i>	vi
<i>Item, Bare Hides of Ox Leather</i>	ij
<i>Item, Hammers</i>	ij
<i>Item, Brushes</i>	ijij
<i>Item, Tenter Hooks</i>	cvj

*April 26. 1624.* OTTIWELL WORSLEY.

*All the Parcels above mentioned to be unseved, are Parcels of the Ordinary of the Office of Wardrobe.*

WILLIAM GEORGE.

*G. Cont.*

*Theo. Howard.*

*Tho. Gov. & Litch.*

*Henry Danvers.*

*Fra. Russell.*

*Robert Spencer.*

*Arthur Bath & Wells.*

*To prove that his Lordship served in base and slight Stuff, and that his Lordship slighted and delayed the Officers, that sued to have the Warrants of the Lord Chamberlain served for the King's ordinary Wardrobe.'*

*The*

The Examination of JOHN COTTON, taken the 26th <sup>An. 22. James I.</sup>  
of April, 1624.

The said Examinant saith, ' That, during the Time the Lord Treasurer was Master of the Wardrobe, this Examinant was Yeoman of the Removing Wardrobe, and was, and is yet, Keeper of the Standing Wardrobe at Whitehall. And saith, That the Warrants, which were sent in, that Time by the Lord Chamberlain, for Necesaries concerning the Offices, which this Examinant served in, were but few; and yet a great Part of them were unserved, as appears by a particular Note thereof, subscribed by this Examinant, and remaining with the Lords Committees: And those which were served, were, for the most Part, served with baser and meaner Stuff than had been accustomed. And saith, That he hath many and often Times made Suit to the Lord Treasurer to have Warrants served, but could not prevail with my Lord; who, for the most Part, put it off to his Man Colbeck. And this Examinant further saith, That Colbeck did not, as it was fit, give Dispatch to the Service; whereupon this Examinant, and those to whom it appertains, made instant Suit, but in vain.

JOHN COTTON.

G. Cant.

Tho. Cov. & Litch.

Robert Spencer.

Tbo. Wentworth.

Theo. Howard.

W. Say & Seal.

The Examination of OTTIWELL WORSLEY, taken the 26th of April, 1624.

The said Examinant saith, ' He hath many Times acquainted the Lord Treasurer, late Master of the Wardrobe, with the Warrants which had been directed from the Lord Chamberlain unto the Lord Treasurer, when Master of the Wardrobe, for serving of Provisions upon the Or-

An. 22. James I.  
1624.

‘ Ordinary of that Office for his Majesty’s House  
 ‘ at *Theobald’s*; and hath so much, and so often,  
 ‘ press’d him thereabouts, that his Lordship hath  
 ‘ told this Examinant, He was importunate. *And*  
 ‘ saith, That he hath, about a Week past, attend-  
 ‘ ed him thereabout; and his Lordship hath con-  
 ‘ fess’d, that those Defects ought to be supplied by  
 ‘ him the said Lord Treasurer. *And saith*, The  
 ‘ Defects appear in another Paper, now delivered  
 ‘ to the Lords Committees, subscribed by this Ex-  
 ‘ aminant. *And saith*, He was once threatened;  
 ‘ by the Grooms of the Bed-Chamber, to be sent  
 ‘ to Prison for not furnishing those Necessaries;  
 ‘ whereupon he repaired to the Lord Treasurer;  
 ‘ but was slighted both by him and his Servants.  
 ‘ *And saith*, That those Things, that were served,  
 ‘ were not of that Goodness as hath been accu-  
 ‘ stomed; and was fit.

### OTTIWELL WORSLEY.

G. Cant..

Tho. Cov. & Litch.

Arthur Bath & Wells.

Theo. Howard.

Fra. Russell.

Henry Danvers.

Robert Spencer.

W. Say & Seal.

### *The Examination of JOHN WINYARD, taken the 26th of April, 1624.*

*The said Examinant saith*, ‘ That of such War-  
 ‘ rants as came to the now Lord Treasurer, while  
 ‘ he was Master of the Wardrobe for *Hampton-*  
 ‘ *Court*, a great Part is yet unserved; the Parti-  
 ‘ culars whereof appear in another Note, subscri-  
 ‘ bed by this Examinate, and remaining with the  
 ‘ Lords Committees. *And further saith*, That  
 ‘ those Provisions, which were served upon those  
 ‘ Warrants, were, many of them, very slight and  
 ‘ mean. *And saith*, That he hath many Times  
 ‘ importun’d the Lord Treasurer for serving what  
 ‘ remains unserv’d of those Warrants; and his  
 ‘ Lordship, from Time to Time, put him off to  
 ‘ Colbeck, and Colbeck made Excuses; but the  
 ‘ Stuff

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‘ Stuffs and Provisions were not served, tho’ this An. 22. James I.  
Examinant used much Instance to procure them 1624.  
Served.

JOHN WYNYARD.

G. Cant. Robert Spencer.  
Tho. Gov. & Litch. W. Say & Seal.  
Tho. Wentworth.

‘ To prove slack and slow Payments, and great  
Abatement of Prices formerly paid.’

*The Examination of BENJAMIN HENSHAW, taken  
the 26th of April, 1624.*

Who deposeth, ‘ That he delivered to the Earl of Middlesex, during the Time he was Master of the Wardrobe, several Sorts of Wares, amounting to the Sum of 2603 l. 16 s. 3 d. or thereabouts.

‘ Wherof, as near as I can recollect,	l. s. d.
‘ Left, there was 2041 l. 5 s. 6 d.	}
‘ For the Use and Service of the	2603 16 3
‘ Wardrobe, 562 l. 10 s. 9 d.	}
‘ for my Lord’s own Use, both	}
‘ which amount to	}
‘ Wherof received at several Times	1950 0 0
‘ the Sum of	}
‘ And so there remaineth due to me	653 16 3
	<hr/>
	2603 16 3

BEN. HENSHAW.

G. Cant. Tho. Howard.  
J. o. Linc. C. S. Fra. Russell.  
Tho. Gov. & Litch. Henry Danvers.  
Arthur Bath. & Wells.

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An. 22. James I. *The Examination of OLIVER BROWN, one of his Majesty's Upholsterers, taken April 26. 1624.*

### OLIVER BROWN and JOHN BAKER, his Majesty's Upholsterers.

	l. s. d.
• Our Bills from <i>Michaelmas 1618, to Michaelmas 1619</i> , amount to	643 0 0
• Received of Lord Cranfield, July, 1619,	60 0 0
• _____ about the End of the same Month,	140 0 0
• _____ about the 13th of December, 1619,	100 0 0
• _____ about the 16th of March, 1619,	100 0 0
• Our Bills from <i>Michaelmas, 1619, to March, 1620,</i> do amount to	602 18 7
• Received about the End of June, 1620,	100 0 0
• _____ 14th of July, 1620,	100 0 0
• _____ 23d. of December, 1620,	200 0 0
• _____ February, 1620,	100 0 0
• Our Bills from <i>Michaelmas, 1620, to Michaelmas, 1621</i> , do amount to	742 8 8
• Received about the 4th of May, 1621,	100 0 0
• _____ 21st of July, 1621,	200 0 0
• _____ 27th of November, 1621,	200 0 0
• _____ 24th of December, 1621,	200 0 0
• _____ 13th of April, 1622,	150 0 0
• _____ 22d of July, 1622,	100 0 0
• _____ 20th of April, 1624,	92 8 0
• At the same Time my Lord appointed his Steward to pay us (which is all that we demand)	145 18 7

**OLIVER BROWN.**

G. Cant.  
Tho. Gov. & Litch.  
Arthur Bath. & Wells.

Theo. Howard.  
Robert Spencer.

*The Examination of RALPH CANNING, taken the 27th of April, 1624.*

*The said Examinant saith, ' That he is the King's Arras-Worker, by his Majesty's Letters Patent. And saith, That, about the Time when the now Lord Treasurer became Master of the Great Wardrobe, this Examinant, having made Sumpter Cloths for the King, brought the Bills*

to the Master of the Wardrobe, who abated this An. 22. James I.  
 Examinant two Shillings in every Ell from the 1624.  
 ancient Price that had been ever allowed: And  
 this Examinant telling him how long that Price  
 had been allowed, and that the said Abatement  
 was such, that the said Examinant should not  
 only lose his Work, but a great deal of the Price  
 of the very Stuff he bought to make them, he  
 told the Examinant to this Effect, You that be-  
*long to the Wardrobe are Thieves, and many truer  
 Men have been hang'd.* And when this Exami-  
 nant told him, he held his Place under the Great  
 Seal, he said, *A Fig for your Patents, I care not  
 for them*, with many other harsh Words; inso-  
 much that this Examinant told him, he would  
 never make more Cloths at that Price; and yet,  
 nevertheless, when a new Warrant came, this  
 Examinant attending him thereabout, and tel-  
 ling him, he expected better Payment if he made  
 them, the said Master of the Wardrobe bad him  
 make them, and he should have Content; yet,  
 when they were made, he made the like Abate-  
 ment as before, so as the Examinant lost his La-  
 bour, and Part of the Price of his Stuff.

## RALPH CANNING.

G. Cant.  
 Hen. Mandeville.  
 Tho. Gov. & Litch.

Arthur Bath. & Wells.  
 Henry Danvers.

*The Examination of JOHN PULFORD, taken the  
 26th of April, 1624.*

THOMAS PULFORD, his Majesty's Coffer-Maker,  
 deceas'd, it appears by his Book,

That in the first Year of the Lord	l. s. d.
Treasurer's Accounts of the	338 3 2
Great Wardrobe, viz. from	
Michaelmas, 1618, to Michael-	
mas, 1619, the Bills of Par-	
fects amounted to	

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1624.

Brought over	l.
That in the second Year of his Lordship's Account, viz. from Michaelmas, 1619, to Michaelmas, 1620, his Bills of Parcels amounted to	338
That in the third Year of his Lordship's Account, viz. from Michaelmas, 1620, to Michaelmas, 1621, they amounted to	371
Total of his Lordship's three Years Accounts is	1147
Whereof paid (or thereabouts, for it cannot appear certainly, by his Book, what he hath received)	940
So rests about	207
• The which 207 l. or thereabouts, his Lordship cut off, by way of Abatement of the Price, would not allow so much for the Commandments as was thought fit to be allowed for the same in the Reign of Queen Elizabeth, by the then Master and Clerk of the Great Wardrobe; but contrary to the antient Precedent and Customs of the said Office, rate and prize the Bills as he did, and to the Loss and Damage of the Thomas Pulsford, as can be manifestly proved; the said Thomas Pulsford, in his Lifetime, gave his Lordship a general Acquittance and Discharge of all Reckonings concerning the Wardrobe counts for his Lordship's Time, so as his Executor knows not how to charge his Lordship the Remainder, or whether he may.	

JO. PULFORD

G. Gant.  
Tho. Gov. & Litch.  
Arthur Betb. & Wills,

Tho. Wentworth.  
Tho. Howard.

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The Certificate, upon Oath, of Sir FRANCIS An. 22 James I.  
GOFTON, Knt. one of his Majesty's Auditors. 1624.

May it please your Honourable Lordships,  
There hath been no Accounts made, for the  
Office of the Master of the Great Wardrobe, du-  
ring the Time the Right Honourable the Earl  
of Middlesex was Master of the said Wardrobe;  
which, as I conceive, was for the three whole  
Years, ended at Michaelmas, 1621, Anno 19. Jac.  
Regis; for which Office I am, by his Majesty's  
Letters Patent, one of the Auditors.

FRAN. GOFTON.

Hn. Mandeville. Tho. Wentworth.  
Hn. Southampton. W. Say & Seal.

Then Mr. Sergeant *Crow* observed to their  
Lordships, That it appears, in the Examination of  
*Oliver Brown*, that his Bill, to Michaelmas, 1619,  
came to 643 l. whereof the said *Oliver* was paid,  
that Year, but 400 l. whereas the said Lord Treas-  
urer received his whole 20,000 l. in hand, for the  
Discharge of the Ordinaries of that Office.'

And also, That the Pardon granted by his Ma-  
jesty unto the Lord Treasurer, in January, Anno  
19. Jacobi, pardons him all Sums of Money re-  
ceived, but doth not pardon his not accounting for  
the Ordinaries of the said Office.'

The Sergeant having ended, the Lord Keeper  
moved the House, That the Lord Treasurer might  
answer his particular Charge touching the Ward-  
robe. His Lordship thereupon demanded Ink and  
Paper, and had it.'

Then the Lord Treasurer answered, That his The Lord Tre-  
Majesty used his Service in many Particulars touch- surer's Answer  
ing his Estate; as, in the Navy, the Household, and as to the Ward-  
robe.

That he found the Expences of the Wardrobe of  
a vast Sum; every one made what Bills they would,  
and did set what Prices they would.

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An. 22. James I. 1624. When he was Master of that Office, he sent for the Artificers, and told them, That he would not look upon what was past ; but that, hereafter, the Prices should be reasonable, and the King's Money should be ready, and they duly paid.

That there were many Fees to be quarterly paid in the Wardrobe ; all which were duly paid.

As for Canning and Pulford, he gave them 2 s. in the Pound more than another would have sold for : He bought little of those of the Wardrobe, but chiefly much of the Merchants ; and had a good Merchants Shop in the Wardrobe, and bought of the best.

That Pulford complains not of a hard Price, but that he had not the antient Price.

As touching the not serving of divers Warrants, That his Business being many, he referred those to his Servant Colebeck : That not above the Value of 7 or 800 l. remained unserved ; whereas he hath laid out 6 or 7000 l. upon the Extraordinaries of that Office ; as, for furnishing Ely House for the Spanish Ambassador, a rich Barge-Cloth for the King, and many other Things ; and that he gave the Earl of Carlisle, his Predecessor in that Office, 3000 l.

As touching the Business of the Stuff served in. He desired they might be compared with those formerly served in ; and affirmed they were much better.

And whereas some complain they were slighted when they were Suitors for the Warrants to be served. his Lordship desired they might be examined, whether they were slighted by Him or no.

As touching the Account, his Lordship answered, That, by the Patent, which was read, he was to account ; but that he had another Patent, if he be not deceived, without Account ; which his Lordship delivered. And the Clerk read the same ; and also his Majesty's Explanation upon the Lease of Sugars, granted to the Lord Treasurer, upon his Surrender of the Wardrobe.

Then Mr. Sergeant Crew observed to the Lords, out of both those, That his Lordship was to account for the ordinary Disbursements of the Wardrobe.

The Lord Treasurer answered, That he conceiv'd he was not to account : That he first reduced that Office from the vast Charge he told the King of; and whereas he was allowed 20,000 l. per Annum for the same, he told the Duke of Buckingham, two Years since, that he got too much thereby ; and that it might be defrayed for 12,000 l per Annum ; and that he, having reduced that Office from 30, nay 40,000 l. Per Annum, unto 12,000 l. is a good Account.

Hereupon divers Lords presently affirmed, That the Duke of Buckingham had acknowledged, that the Lord Treasurer, when he was to surrender the Wardrobe to the Earl of Denbigh, did acquaint his Grace with the Greatness of Gains in that Office ; but, to the end he might have a great Recompence, first he named 4000 l. per Annum, and afterwards 8000 l. and that this drew on the Lease of Sugars to his Lordship.'

Then Mr. Sergeant Crew observed, That the Charge against the Lord Treasurer is upon Proof ; his Lordship's Answer upon Averment ; which he humbly referred to their Lordship's Consideration. And thus ended the Charge touching the Wardrobe.'

And then the Lord Treasurer was withdrawn.

The Lord Keeper removed to the Earls Bench, to satisfy the House touching the Lord Treasurer's Speech, That the Duke of Buckingham knew of his Gains in the Wardrobe ; and told their Lordships, That he well remembers, that when the Duke of Buckingham moved his Majesty to place Sir Lionel Cranfield Treasurer, (which he desired, ho' afterwards he seemed unwilling) that then the King required the Surrender of the Wardrobe to the Earl of Denbigh. That when the Lord Treasurer heard of it, he magnified the Profits of the Place ; First to the Duke, that it was 4000 l. per Annum ; Secondly to the King, that it was worth 6 or 7000 l. per Annum , whereby he got the Lease of Sugars at 4000 l. per Annum less than they are worth ; and his Successor, the Earl of Denbigh, had 4000 l. per Annum less than his Lordship for Disbursements

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An. 22. James I. ments of that Office of the Wardrobe. That the  
1624. Duke being moved at this, the Lord Treasurer  
then told his Grace, that his Gains in that Office  
had been 8000l. *per Annum*; nay, more than he  
could well tell; and, till then, his Grace knew  
not of the great Gains of that Office; and if his  
Grace, who hath been ever careful for the King's  
Profit, had known of it sooner, the Lord Treasur-  
er had not held that Place so long; for his Grace  
is *Amicus usque ad Aras.*

‘Then it was ordered, That the Lord Treasur-  
er be warn'd to be here again, at Two in the  
Afternoon, at the Bar.’

‘*Post Meridiem.* The Lord Treasurer being  
brought to the Bar, as before, kneeled not, until  
he was remembred thereof by the Lord Keeper;  
then he kneeled, and the Lord keeper willed him  
presently to stand up.’

‘The King's Attorney being commanded to  
open the second Charge against the Lord Treasur-  
er, his Lordship said, *He was unprovided in the*  
*Morning for the Wardrobe; and besought their Lord-*  
*ships to take into their Consideration, that he is denied*  
*Counsel to speak for him, being charged with great*  
*Matters, for it may be their own Case; and he hath*  
*Precedents, as he is informed, that he might have Coun-*  
*sel allowed him: That, however, he would speak out*  
*of his own Strength; but desired their Lordships, that,*  
*if he forgot any Thing, no Advantage be taken a-*  
*gainst him, unto which their Lordships agreed.*’

His Lordship's  
further Requests;

Two of which  
are refused by the  
Lords.

‘The Lord Treasurer made two other Requests  
unto their Lordships; the one, *For that his Wit-*  
*nesses have not fully answered touching the Wardrobe,*  
*that he might have a Re-examination upon the same*  
*Interrogatories.* This the House denied, as not  
usual to be granted in other Courts, after Publica-  
tion, for that it might produce Perjury. His Lord-  
ship's other Request was, *That he might produce his*  
*Proofs, or Records, that the Workmen of the Ward-*  
*robe were paid:* Which was also denied; for that  
the Non-payment of the Workmen is but an Ac-  
cident to his Charge.’

‘Then

'Then Mr. Attorney was willed to proceed :  
' And he proceeded in this Manner, *viz.*

An. 22. James I.  
1624.

' The second Charge wherewith the Lord Treasurer is charged, is for three several Corruptions ; two of them disguised under the Shadow and Pre-text of a Bargain ; and the third of a New-Year's Gift.'

Concerning the two former.

' It cannot be denied, That, *February 6. Anno Mr. Attorney 17. Jacobi*, his Majesty did lease unto Sir *Nicholas Salter*, and others, the Customs and Imposts of *French and Rhenish Wines*, from *Michaelmas, 1622*, for nine Years and an half ; and did covenant with the Lessees not to lett any new Imposition upon the Wines, during the Continuance of that Lease, without the Assent of the Lessees. And, *January, Anno 19. Jacobi*, the King made a Lease unto Sir *John Wolstenholme*, and others, for divers Years, of the Great Customs ; in which Lease there was a Covenant, on the Part of the Farmers, that they should put in Security for the Payment of their Rents ; and, for Performance of this Covenant, they were to have the Allowance and Warrant of the Lord Treasurer, without which the King's Remembrancer would not take their Bonds. *January 14. Anno 19. Jacobi*, a new Impost of 3*l. per Tun*, was set upon the Wines ; and the same being done without the Consent of the Farmers, and to their great Damage, they were to expect Recompence for the same upon their Covenant. Upon these two Occasions, the Farmers of the several Farms were necessarily occasioned to become Suitors to the Lord Treasurer ; the one for Recompence and Reparation of their Loss, the other for Allowance of their Security, and his Warrant to accept it.'

' The Farmers of the Wines began their Suit to the Lord Treasurer about *January or February, Anno 19. Jacobi*, and continued it with much Instance untill *December, Anno 20. Jacobi*, ten or eleven Months together without Success ; upon they found Means to have Acc<sup>e</sup> :

James I. himself, and represented their Grief by an humble Petition; which his Majesty answered most graciously, and gave strait Charge to the Lord Treasurer to give them a speedy Dispatch, and conclude with them upon such a Recompence, as in Honour and Justice was fit. And thereupon, December 31, 1622, the Lord Treasurer did agree with them, that they should be allowed 9500 l. to be defalked in nine Years and a Half out of their Rent, after the Rate of 1000 l. per Annum. This being agreed on, they were to have his Lordship's Warrant to the King's Attorney, for drawing a Book according to the Agreement; which Warrant was speedily prepared and drawn by his Lordship's Secretary; but delayed from December 31. Anno 20 Jac. until June 24. Anno 21. Jac. And the Farmers of the Great Customs having divided the Farms into 32 Parts, every of which Part was to give his Majesty Security of 1500 l. for Payment of their Rent, they presented their Security to the Lord Treasurer, who allowed and gave Warrant to the King's Remembrancer to receive it; but the Parties unto whom five of these 32 Parts were allotted, falling off and relinquishing their Parts, the four Patentees of the Farm resolved to resume those Parts to themselves; and thereupon tendered the Lord Treasurer their own Security for those five Parts; which he agreed to accept, yet protracted them till June, Anno 21. Jacobi.

\* The Business of both Farms thus delayed, and it being conceived that Money was expected, the Farmers of the Wines resolved to present the Lord Treasurer with 500 l. and they of the Great Farm resolved of the like Sum; and Mr. Abraham Jacob being a Partner in either Farm, was entrusted severally by the Farmers of each Farm, viz. 500 l. a-piece, to be presented to the Lord Treasurer; which he paid, in one entire Sum of 1000 l. to Mr. Catchmay, the Lord Treasurer's Steward, June 27. Anno 21. Jacobi, by the Lord Treasurer's Appointment; and thereupon the Business of both

Farms

Farms had a Dispatch by the Lord Treasurer's An. 22. James I.  
Means.

1624.

' But to palliate and disguise these two corrupt Gifts, the Lord Treasurer then pretended to have four Parts of the Great Farm divided into 32 Parts; and, in his Answer touching these Corruptions, justifieth the taking of 1000 l. by way of Bargain for those four Parts from the Farmers of the Great Customs: This Answer being disproved, and it being made plain that he had no Part in that Farm, it must needs follow that the Money was taken corruptly, for the Dispatch of the Farmers Business; and, for Manifestation hereof, it stands proved,

' That, upon the Treaty of the Bargain for the Great Farm, the Lord Treasurer propounded to the Farmers to have some Parts in the Farm, not for his own Benefit, but to dispose of amongst his Friends; but this was rather a Proposition than any Settled Resolution or Conclusion: For the Farmers Doubting, lest, by this Pretence, some Partners might be put on them with whom they were unwilling to join, desired the Lord Treasurer, that they might make Choice of their own Partners, and, if their Farms prospered, they would be thankful unto his Lordship.'

' This Thankfulness was afterwards performed on their Part, for they raised his usual New-Year's Gift from 1000 Marks to 1000 l. And, upon this Request of the Merchants, the Lord Treasurer wavered his Proposition of having the Disposal of any Parts in the Farm; which appeareth not only by the plain and express Testimony of many Witnesses, but by these Proofs following, *viz.*

1. ' The Lease of the Great Farm bears Date, Jan. 1. Anno 19. Jas. between which Time and April 29. Anno 20. Jas. the Farmers divided the whole Farm into 32 Parts, allowing to each Man his Part, and reduced the same into Writing, expressing therein the Sum of the Security whichevery Man was to give, without mentioning therein any Parts reserved to the Lord Treasurer, or his Friends; and this Writing, being tendered to the Lord Treasurer,

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An. 22. James I. surer, April 29, 1622, was by him allowed, and  
1624. Warrant sign'd by him to the King's Remembrancer to take Security accordingly.'

2. ' When the Partners, to whom five of these Parts were allotted, fell off, and would not give Security, the Patentees resolving to take those Parts to themselves, tendered their own Security to the Lord Treasurer, and he agreed to accept it; and, tho' he protracted it long, yet he did not, in that long Time of Delay, challenge any Parts untill about June, 1623.'

3. ' The Farmers resting secure about that Proposition, did, after the 29th of April, 1622, divide the whole Farm by Indentures, allotting to each Man his due Part, without reserving any for the Lord Treasurer.'

4. ' At Christmas, 1622, the first Year of the Farm ended; and this Year's Profit was, by Account, in April 1623, divided among the Partners, reserving no Share to the Lord Treasurer.'

5. ' But the Truth is, That all this Time the Lord Treasurer rested quiet, and neither did nor would challenge any Parts; the Farm being of that small Expectation of Benefit, as five Partners gave over their Parts, rather than they would give Security; but, about June 1623, the Farm being grown more hopeful by the Return of some *East India Ships*, the Lord Treasurer having in his Hands the Business of both Farms, which he had so long delayed, meaning to make this a Veil and Cover for taking those corrupt Gifts, then pretended to have four 32 Parts, which he had waved so long before.'

6. ' The Lord Treasurer appointing *Catchmay*, his Servant, to receive the 1000l. of *Jacob*, which was received the 27th of June, 1623, forbade him to give any Acquittance for the Money, but to leave that to himself and *Jacob*; which, had it been paid upon a plain Bargain, he never would have done.'

7. ' This Money was enter'd into the Accounts and Books of the said Farms; for, in the Journal Books of the Petty Farms, July 31, 1623,  
there

there is 500 l. enter'd to be paid and presented to An. 22. James I  
1624. the Lord Treasurer, by the Hands of Mr. Jacob, for a Gratification of his Favour in accommodating an Allowance of 1000 l. per Annum to be abated of their Rent for the Time to come; and the like Entry was made in the Ledger of the same Farm. And, December 20, 1623, upon the general Account of that Farm, this 500 l. is put to Account, as a Gratuity given to the Lord Treasurer, and is borne rateably by all the Partners of the Farm, of which Account many Copies were given out to the Partners; and, for the other 500 l. there is extant a Warrant, dated July 29, 1623, subscribed by Sir John Wolstenholme and Henry Garraway, two of the Farmers of the Great Farm, directed to Williams, the Cashier of that Farm, to pay to Mr. Jacob 500 l. given by him, by Order of the Farmers, to the Lord Treasurer, for a Gratuity, and to put it to the Account of the Farm; which was done accordingly: And these Accounts stood in this Manner till February last, after the Parliament was summoned; and then the Lord Treasurer caused Jacob to procure the 500 l. that was set upon the Petty Farms, to be altered from thence, and to be charged upon the Farmers of the Great Farm; and Satisfaction to be given to the Partners of the Petty Farms of their proportionable Parts they were charged with for that 500 l. upon the aforesaid Account of the 20th of December; and as many as could of the dispersed Copies of that Account to be gotten in. He also procures Jacob to write a Letter to his Lordship, and to antedate the same in June before; by which Jacob did intimate, that the 1000 l. was given his Lordship for four 32 Parts of the Great Farm; and himself made an Acquittance to Jacob with the like Antedate, acknowledging that 1000 l. to be received for those four Parts; which indirect Courses of changing the Accounts, and antedating the laid Acquittance and Letter, manifesteth that the former Proceedings were not sincere, but were to be converted and blanched with these Devices.

\* Touch-

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An. 22. James I.  
1624. ‘ Touching the said Corruption, shadowed under pretext of a New-Year’s Gift, it stands proved, That, at *Christmas* last, 1623, the Farmers of the Petty Customs presented the Lord Treasurer with a Tun of Wine, intending to have added to it a Pipe of *Cantury Wine*, or the best Sack; but the Lord Treasurer misliking the Smallness of their Present, urged them to a further Gratuity in Money, and thereby obtained from them, besides the Wine, 100 l. in Money.’

‘ The Charge being thus opened by Mr. Attorney, the Clerk read the Proofs, viz.

‘ *The Examination of BERNARD HYDE, taken the 19th of April, 1624.*

Examinations of  
Witnesses there-  
upon.

*The said Examinant saith,* ‘ That after the new  
Impost of 3 l. per Tun, set upon the Wines,  
this Examinant, and the rest of the Partners in  
the Farm of the Wines, being greatly damnified  
thereby, contrary to a Covenant in their Lease,  
made long Suit to the Lord Treasurer for Relief  
in that Behalf; and, obtaining none, at last ex-  
hibited a Bill, in the Name of the Farmers, into  
the Exchequer Chamber, for a Satisfaction, and  
desired that his Majesty’s Attorney General might  
answer the same; and so the Cause proceeded  
judicially: In the End, after ten Months Delay,  
conceiving it fittest to make their humble Suit to  
his Majesty himself, thereupon; on the Sunday  
before *Christmas* was Twelve-Months, this De-  
ponent and *Henry Garraway*, together with *John*  
*Hirripon*, delivered an humble Petition to his  
Majesty, either to hear and order the Business  
himself, or refer them to the Council-Board, and  
not any more to the Lord Treasurer, where they  
had endured so long Delay. His Majesty gave  
them a most gracious Answer, That he would  
not that any Man should be hurt or damnified by  
him; but, as the Lord Treasurer best understood  
the

the Busness, he would command him to make An. 22. James I.  
 a speedy End with them ; and, calling Mr. Chancellor of the Exchequer, by him sent a  
 Commandment to the Lord Treasurer, that he should speed their Dispatch ; and thereupon the  
 Lord Treasurer, being attended upon New-Year's Eve, made an Agreement, that there should be  
 an Allowance of 9500 l. made unto them for their Satisfaction, to be paid in nine Years and a  
 Half : And, after this Agreement made, they did long and often attend the Lord Treasurer, for his Warrant to Mr. Attorney, for passing their Book, according to the Agreement ; but his Lordship still delayed the signing of the Warrant. The Examinant being grieved at the Delay, told Mr. Dawes, That he marvelled at the Delay, and thought there was somewhat in it that caused so long a deferring. To which Mr. Dawes answered, That he thought they must make their Passage by Money : And thereupon they proposed it to their Partners, who appointed one (which, as he thinks, was Mr. Jacob) to move the Lord Treasurer thereabouts ; by whom Word was brought, that 500 l. must be given ; which was agreed to be given, and Direction given to Richard Bishop, their Cashier, to deliver so much Money to Mr. Jacob, or his Assigns ; which was accordingly delivered the 31st of July last, unto a Servant of Mr. Jacob's, in Gold, for so it was required, and the same entered in the monthly Account as a Gratuity to the Lord Treasurer. *And saith*, That presently after the Delivery of the Money, the Warrant was signed by the Lord Treasurer ; whereupon their Book passed shortly after. *But further saith*, That December 20, 1623, the yearly Account being made up for the Partners, the said 500 l. was there also entered in this Manner, *For a Gratuity given to the Lord Treasurer the Sum of 500 l.* which was then allowed by the Auditors of that Account, of which Mr. Dawes was one ; and

the

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An. 22. James I. 1624. ‘ the same continued accordingly till the End of January, or Beginning of February ; and then Mr. Jacob sent for this Examinant, and propounded to this Examinant and Mr. Grey, that the said Lord Treasurer had told him, that the King was made acquainted with the 500 l. and that the said Treasurer had denied it his Majesty ; and therefore the Account must be altered, and the 500 l. posted from the said Account unto the Great Farm ; and this was at the House of Mr. Jacob. To which this Examinant said, It might be done ; but then not only the Book must be altered, but there being Copies of the Account in the Hands of many of the Partners, they must be gotten in, which would be difficult ; yet this Examinant would do his best, which he did accordingly ; wherewith Jacob was well satisfied : And the said Alteration being made, there was Restitution made to this Examinant, and such other of the Partners as had no Share in the Great Farm, of their Parts of the said 500 l. whereof this Examinant’s Part was about 40 l. And this Examinant did always take it, that this 500 l. was given to the Lord Treasurer for his own Use, for Dispatch of the said Warrant, and for no other Purpose.

BERNARD HYDE.

<i>G. Cant.</i>	<i>Tho. Wentworth.</i>
<i>H. Mandeville.</i>	<i>Fra. Russell.</i>
<i>Hamilton.</i>	<i>H. Danvers.</i>
<i>H. Southampton.</i>	<i>Robert Spencer.</i>
<i>Theo. Howard.</i>	<i>W. Say &amp; Seal.</i>
<i>Tho. Cov. &amp; Litch.</i>	<i>Fra. Brook.</i>
<i>Arthur Bath &amp; Wells.</i>	

*The said Examinant, upon further Question, the Day and the Year abovesaid, saith, ‘ That he doth well remember, that besides the Proposition aforesaid at Mr. Jacob’s House, the said Mr. Jacob did, another Time, at the Custom-House, propound*

• pound the Alteration of the Account unto this An. 22. James I.  
• Examinant, Sir John Wolstenholme, and Mr. Gar- 1624.  
• raway.

BERNARD HYDE.

G. Cant.	Tho. Wentworth.
H. Mandeville.	Fra. Russell.
Hamilton.	H. Danvers.
Pembroke.	Ro. Spencer.
H. Southampton.	W. Say & Seale.
Theo. Howard.	Fra. Brook.
Tho. Cov. & Litch.	

*The Examination of BERNARD HYDE, taken the  
20th of April, 1624.*

*The said Examinant saith, ' That he doth perfectly remember that about the End of January, or Beginning of February last, Mr. Jacob sent for this Examinant to his House, the said Mr. Jacob being at that Time not well in Health ; and the said Mr. Jacob did then tell this Examinant, as from the Lord Treasurer, That the King had Knowledge of the 500 l. given to the Lord Treasurer, which was charged upon the Accounts of the Petty Farms, and that his Lordship denied the same ; and that his Lordship was angry at the charging it on the Petty Farms, and therefore would have the Account altered. And saith, This Speech passed between them in Mr. Jacob's green parlour, and that there were in the Room at that Time, Mr. Henry Garraway, and Richard Bishop, but is not certain whether the same were openly spoken whereby these two might hear ; or else said privately to this Examinant, to the end to make him more forward in the Alteration of the Book of Accounts ; which was indeed a great Disgrace to their Books.*

BERNARD HYDE.

*. The said Examinant further saith, ' That at Christmas last the Farmers of the Petty*

An. 22. James I. 1624. ‘ presented the Lord Treasurer with a Tun of Wine, as they had used to present in former Times, and intended to present him further with a Pipe of *Canary* Wine or the best Sack: But, within short Time after, Mr. *Jacob* told this Examinant and some others of the Farmers, that the Treasurer was angry with them for that they had not better regarded him but with a Tun of Wine, and his Lordship expected a better Gratification; and that his Lordship had named 200 l. and in the end the Farmers concluded to give him 100 l. And this Examinant, by their Direction, delivered the said 100 l. to his Lordship’s own Hands, and the same was by him accepted; which, as Mr. *Jacob* took on him, was the rather by his Means; and thereupon the Pipe of sweet Wine was forbore to be sent.

## BERNARD HIDE.

<i>G. Cant.</i>	<i>Hamilton.</i>
<i>Pembroke.</i>	<i>T. Howard.</i>
<i>Tho. Cov. &amp; Litch.</i>	<i>F. Russell.</i>
<i>H. Mandeville.</i>	<i>R. Spencer.</i>
<i>H. Southampton.</i>	<i>F. Brook.</i>
<i>A. Bath. &amp; Wells.</i>	

‘ The Examination of *Henry Garraway*, taken the 17th of April, was to the same Effect as *Bernard Hyde* in his first Examination.’

*The Examination of ABRAHAM DAWES, taken the 17th of April, 1624.*

*The said Examinant saith,* ‘ That after there was an Agreement made for 9500 l. to be allowed by the Farmers for their Damage by the new Impost, this Examinant observing the Warrant was long delayed, and having Speech with Mr. *Bernard Hyde*, told him, That he thought the Business was not well understood, nor a right Course taken, and that something must be given to the Lord Treasurer; and, shortly after, this ‘ Exa-

Examinant being one of the Auditors of the Ac- An. 22. James I.  
 counts concerning the Farms, and finding in the 1624.  
 Book of *Richard Bishop* a Sum of 500 l. set  
 down to be given to the Lord Treasurer for a  
 Gratuity, asked the said *Bishop*, What Voucher  
 he had for the Payment? who said, That he had  
 the Hands of some of the Farmers for it: And,  
 because the Time would not be long before the  
 Account for the whole Year should be made up,  
 this Examinant pressed no further at that Time,  
 but when the Year's Account came to be made  
 up, this Examinant finding the same 500 l. then  
 put to Account, called *Bishop* for his Vouchers,  
 who thereupon shewed to this Examinant a Note  
 under the Hand of Sir *John Wolstenholme*, and  
 Mr. *Henry Garraway*, for Warrant of that Pay-  
 ment. *And further saith*, That this 500 l. be-  
 ing afterwards posted from that Account to the  
 Great Farm, the said *Bishop* told this Exami-  
 nant he had 3 l. odd Money for him, for his Part  
 of the Money, to which he had taken Excep-  
 tion in the Account of the Wine Farm, saying,  
 That by Direction of the Farmers it was posted  
 to the Great Farm; and that the Lord Treasu-  
 rer would have it so. To which this Exami-  
 nant answered, That would be prejudicial to this  
 Examinant, for his Part thereof in the Petty  
 Farm was but 3 l. odd Money, but in the Great  
 Farm it would come to 18 l. and above. *And*  
*faith upon his Oath*, He ever conceived that 500 l.  
 to be given to the Lord Treasurer for Dispatch  
 of the Warrant for the 9500 l. And that within  
 short Time after the Partners had paid that 500 l.  
 the Warrant was signed by the Lord Treasurer,  
 and their Business dispatched.

## ABRAHAM DAWES.

G. Cant.  
 T. Wentworth.  
 W. Say & Senle.  
 H. Mandeville.  
 F. Russell.

T. Cov. & Litch.  
 H. Danvers.  
 A. Rath. & Wells.  
 R. Spencer.

An. 22. James I. *The Examination of JOHN HARRISON, taken the 1624.*  
*17th of April, 1624.*

*The said Examinant saith, ' That after such Time as the Farmers of the Petty Customs had, for many Months, sued in vain to the Lord Treasurer, for Satisfaction of their Losses sustained by the new Impost of Wines; upon Petition exhibited to the King, and his Majesty's Reference, by Commandment, to the Lord Treasurer, on the last of December 1622, there was a Conclusion made, That the Farmers should have the Defalcation of 9500 l. out of the Rent of the Wine Farm for nine Years and an half, in Satisfaction of their Demands: But notwithstanding that Agreement, and that a Warrant was prepared accordingly, (which this Examinant knoweth, because he saw it in the Hands of Mr. Jacob his Lordship's Secretary;) yet, for five or six Months together, the Lord Treasurer tho' intreated, could not be prevailed on to sign the Warrant; whereupon Mr. Dawes, intimating that it was likely that the Lord Treasurer expected some Gratuity, it was resolved to present him with 500 l. which 500 l. is thus entered in the Monthly Account of the Petty Farms, By so much paid to the Lord Treasurer by the Hands of Mr. Abraham Jacob, for Accommodation of 1000 l. per Annum, 500 l. And further saith, That the said 500 l. was likewise put into the yearly Accounts of that Farm, and thereupon Copies of the Account dispersed into the Hands of many of the Partners: But afterwards the same was altered, about a Month after the Summons of the Parliament, and was posted over to the Great Farm; and this Examinant, by the Appointment of Mr. Jacob, did call in divers Copies of the said Account, and believeth (and so it was generally conceiv'd,) that this was altered by the Lord Treasurer's Appointment. And further saith, That before the said 500 l. was resolved to be given, Mr. Jacob did affirm, that the Lord*

*Treas-*

Treasurer did expect so much, as Mr. Hyde, An. 22. James I.  
 Near about that Time, and oftentimes, told this 1624.  
 Examinant; and after that 500 l. was given, the  
 Warrant was sign'd, and the Business dispatch'd,  
 with such Expedition that the Book passed the  
 Seal within a Fortnight, or little more. And  
 saith, That upon Payment of the 500 l. out of  
 the Petty Farms, his Part came to 3 l. odd Mo-  
 ney, but if he shall bear his Part thereof in the  
 Great Farm, it will be about 15 l. Loss to him.

JOHN HARRISON.

G. Cant.	H. Mandeville.
H. Southampton.	T. Howard.
T. Wentworth.	Hamilton.
H. Danvers.	T. Cox & Litch.
R. Spencer.	Pembroke.
W. Say & Seale.	A. Bath. & Wells.

The Examination of RICHARD BISHOP, taken  
 the 22d of April, 1624.

The said Examinant saith, ' That there was an Agreement made, as this Examinant heard from his Partners, and believes it to be true, by the Lord Treasurer on his Majesty's Behalf, to allow 1000 l. per Annum, unto the Farmers of the Petty Farm, in Satisfaction of their Damage by the Imposition lately set upon Wines; which Agreement, being made on New Year's Eve was Twelvemonth, and continual Suit made after for the Dispatch, yet for the Space of about six Months they were Suiters for the Warrant of Allowance, but could not get it untill 500 l. was agreed to be given to the Lord Treasurer; and this Examinant, being Cashier to the Petty Farms, received Order from Mr. Jacob, Mr. Hyde, and some others of the Farmers, to put the same to Account; which according to their Direction he did, and enter'd the same in his Journal-Book in these Words, 31st July, 1623. viz. *The Farm of French Wines oweth to ready*

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An. 22. James 1.  
1624. Money the Sum of 500 l. paid and presented to  
 the Lord Treasurer by the Hands of Mr. Abraham  
 Jacob, for a Gratification for his Lordship's Fa-  
 vour in accommodating an Allowance of 1000 l. per  
 Annum, to be abated out of the Rent for the Time  
 to come. I say, paid to the Hands of Mr. Jacob  
 the Sum of 500 l. And he did likewise enter the  
 same into his Leidger-Book; and in the End of  
 the Year, the said 500 l. was put into the gene-  
 ral Account of the Farm, as a Gratuity to the  
 Lord Treasurer; and thereby the Dividend of  
 the Farm was so much the less; and the same  
 Account was audited and allowed by Mr. Hyde,  
 Mr. Fletcher, Mr. Dawes, and Mr. Williams.  
 And after, in February last, this Examinant  
 received Direction to amend the Account; and  
 thereupon, the 28th of February last, this Exa-  
 minant made an Entry as followeth in his Jour-  
 nal-Book, viz. The Account of the three Petty  
 Farms, for the Year ended at Michaelmas last,  
 oweth to several Accounts the Sum of 500 l. and  
 is for so much dividable to the Partners, over and  
 above the Sum of 13,120 l. 12 s. 10 d. formerly  
 divided for the Profit of the Year ended at Michael-  
 mas last, for which the said Partners are due to  
 have as followeth; and then did enter every Man's  
 Name with his Part of the 500 l. belonging to  
 each Man; and the same was also enter'd in ano-  
 ther Leidger-Book, as appears by the several  
 Books, containing all the aforesaid Entries, fairly  
 written, and now shewed to the Lords Commit-  
 tees. And saith, That albeit he had Order to  
 have razed the Account, yet he did it not; but  
 kept the same and the Books fair, and took so  
 much the more Labour, and entered all specially  
 as aforesaid.

### RICHARD BISHOP.

G. Cant.	W. Say & Seale.
A. Bath. & Wells.	H. Southampton.
H. Mandeville.	F. Brook.
R. Spenser.	T. Gov. & Litch.
Hamilton,	

An

' And these Examinations were read touching An. 22. James I.  
the Business of the Great Farms, &c. viz.' 1624.

*The Examination of HENRY GARRAWAY, taken  
the 17th of April, 1624.*

*The said Examinant saith, ' That the Examinant and others having taken a Lease of the Great Customs, in short Time after they were told by Mr. Jacob, That the Lord Treasurer desired to have the Disposition of some Parts in that Farm, but nothing was concluded thereon; saving that this Examinant and the Patentees told Mr. Jacob, they would desire his Lordship to give them Leave to dispose of all their Parts among their own Friends, and they would be thankful to his Lordship if the Farm did prosper; and accordingly the Farmers presented unto his Lordship a Note containing all the Partners, and Distribution of all the thirty-two Parts of the Farm, to the Intent his Lordship might, according to that Proposition, give Warrant for their entering Security to his Majesty, which his Lordship accepted and allowed; and gave Warrant to the King's Remembrancer, to take Security accordingly. Whereupon the Farmers went first, and procured as many others as they could, to go after to Mr. West, to give Security; but five of them not willing to proceed in the Farm, fell off; whereupon this Examinant and the other Patentees that had undertaken to give his Majesty Security, moved the Lord Treasurer to accept Security of them, and they would resume those five Parts to themselves; and his Lordship said he would: Nevertheless he did deter to sign any Warrant therefore, but did not then, nor long after, speak of any Parts for himself, or to be at his Disposal; neither doth this Examinant conceive any Reason his Lordship should, the Opinion of the Farm being then so mean, that five of their Partners fell off: But the Warrant for Security being deferred till some*

*' East-*

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An. 22. James I.  
1624. East-India Ships came in, which as this Exam-  
inant remembers, was about May and June 1623,  
and the Farm then growing hopeful, his Lord-  
ship then began to challenge the four Parts in the  
Farm, or else to have Recompence for the same ;  
which the Farmers thought to be very hard, they  
having upon their first Promise of Thankfulness,  
and in Performance thereof, augmented his Lord-  
ship's New Year's Gift, which formerly was but  
1000 Marks, and in the Year following was  
made 1000 l. nevertheless his Lordship de-  
manded 1000 l. in lieu of his four Parts. This  
Examinant and his Partners thought the Demand  
altogether unreasonable, they not owing any  
Thing to his Lordship, nor there being any Thing  
due to his Lordship in that kind ; for that upon  
the first waving his Claim of Part, the whole  
Farm, long before this second Demand, was di-  
vided by Indenture amo<sup>g</sup> all the Partners ; yet  
understanding that the Farmers of the Petty  
Farms, (whose Business did stick as well as the  
Business of the Great Farm,) were willing to pre-  
sent 500 l. to his Lordship, to remove the Stop ;  
the Farmers of the Great Farm con'nted to give  
500 l. more ; and both of them employed Mr.  
Jacob to negotiate their Business, who procured  
a speedy Dispatch of both Businesses, and had  
Allowance of 500 l. out of the Great Farm,  
and 500 l. more out of the Petty Farms ; which  
Money, set upon the Petty Farms, was after-  
posted to the Great Farm, as in his other Exa-  
mination taken this Day is set forth.

HENRY GARRAWAY.

G. Cant.

A. Bath. & Wells.

T. Wentworth.

T. Howard.

H. Danvers.

H. Mandeville.

H. Southampton.

T. Cov. & Litch.

R. Spencer.

W. Say & Seale.

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*The Examination of JOHN WILLIAMS, taken the An. 22. James I.  
17th of April, 1624.*

1624.

*The said Examinant saith, ' That after his Majesty had made the last Lease of the Great Customs, there was Security of 48,000 l. touching that Farm, to be given to his Majesty; which being divided into thirty-two Parts, each Part was to secure 1500 l. Parcel of the said 48,000 l. Thereupon the Names of all the Partners, and the Sums they were to secure, were put into one Paper, which was allowed by the Lord Treasurer; and his Lordship underneath subscribed a Warrant to the King's Remembrancer, to take Security according to that Note.*

*' But after five of the Parts fell off, wheteby His Majesty's Security fell short 7500 l. and thereupon the Farmers, willing to undertake those Parts themselves, moved the Lord Treasurer to accept their Security for these Parts, which as this Examinant was told by the Farmers, his Lordship said he would accept; yet deferr'd to make a Warrant to the Remembrancer to take the Security, from September 1622, untill June or July last, and then gave Warrant therefore: Howbeit this Examinant saith, That before the same Warrant passed, the Farmers were drawn to yield to a Gratuity of 500 l. which this Examinant knoweth; for that a Servant of Mr. Jacob who paid the Money, demanding Allowance thereof, upon the Account of the Farm, this Examinant refused to give Allowance thereof, untill he brought to this Examinant a Warrant signed by Sir John Wolstenholme and Mr. Garraway, which was now shewed to him dated July 29th, 1623. And thereupon this Examinant, on or about the 8th of August last, gave Allowance thereof. And saith, That he understood that about that Time, the Lord Treasurer had claimed four Parts in the said Farm; which seemed strange to this Examinant and the Partners. And saith, That he himself being one of the five named in the first*

*' War-*

An. 22. James I. 1624. ‘ Warrant, which gave up their Parts, had his Part from and under Mr. Henry Garraway’s Quarter, and neither he nor any of the other four had their Parts from the Lord Treasurer; neither were their Parts to return to the Lord Treasurer. And saith further, That upon an Account which began to be made in April 1623, and was audited July 9th 1623, for the Year ending at Christmas 1622, the five Parts of those that fell off, were divided among the four Farmers; and this Examinant made up the Account in that Manner, by the Farmers Warrant.

## JOHN WILLIAMS.

<i>G. Cant.</i>	<i>Hamilton.</i>
<i>H. Southampton.</i>	<i>A. Bath. &amp; Wells.</i>
<i>T. Howard.</i>	<i>R. Spencer.</i>
<i>H. Mandeville.</i>	<i>Pembroke.</i>
<i>T. Cov. &amp; Litch.</i>	<i>T. Wentworth.</i>
<i>H. Danvers.</i>	<i>W. Say &amp; Seale.</i>

*The Examination of ABRAHAM DAWES, taken  
the 20th of April, 1624.*

*The said Examinant saith, ‘ That the Farmers of the Great Customs, having agreed upon taking a Lease of that Farm, they among themselves divided the Farm into thirty-two Parts; by the Partners of which Parts proportionable Security was to be given to his Majesty, amounting in all to 48,000 l. unto his Majesty’s Use; and the Lord Treasurer made a Warrant to the King’s Remembrancer, to take Security accordingly, without reserving any Part to himself, or any other than was mentioned in that Warrant; but five of the Partners falling off, the four Patentees resolv’d to accept those Parts for themselves, and to divide them equally among them, and to give their own Security unto his Majesty for those five Parts. And saith, That this Examinant, finding both by the Accounts of the Farm, and by Conference with Mr. John Williams,*  
‘ *that*

that 500 l. was put upon the Account of the An. 22. James I.  
1624.  
Farm, as a Gratuity to the Lord Treasurer, for  
accepting Security for those five Parts, told Mr.  
*Williams*, that it was hard and unequal that 500 l.  
should be set upon the whole Farm, for that  
which concerned those five Parts only, which the  
four Partners took to themselves. *And saith*,  
That this Conference was between him and *Wil-*  
*liams* about July last. *And further saith*, That  
he had a Conference with Sir *John Wolstenholme*  
about two Months past, what Part the Lord  
Treasurer had reserved in that Farm, who said,  
he propounded at first to have some Part; but the  
Farmers doubting, lest by that Means, Sir *Arthur*  
*Ingram* might be put upon them, intreated his  
Lordship to permit them to dispose of all the  
Parts, and they would be thankful to his Lord-  
ship some other Way; with which his Lordship  
was satisfied, and that, (in Performance of that  
Promise,) whereas at *Christmas* before they gave  
him 1000 Marks, the next *Christmas* they gave  
him 1000 l.

ABRAHAM DAWES.

<i>G. Cant.</i>	<i>H. Southampton.</i>
<i>A. Bath. &amp; Wells.</i>	<i>W. Say &amp; Seale.</i>
<i>I. Cov. &amp; Litch.</i>	<i>T. Howard.</i>
<i>Pembroke.</i>	<i>F. Brook.</i>
<i>T. Wentworth.</i>	

The Examination of JOHN HARRISON, taken the  
20th of April, 1624.

The said Examinant saith, 'That a little before  
Christmas was two Years, Sir *John Wolstenholme*  
told this Examinant, that upon taking the Great  
Farm, the Lord Treasurer desired to have some  
Parts therein for some of his Friends; but the  
Farmers fearing lest any should be put on them,  
with whom they were not willing to join, moved  
his Lordship to let them dispose of the Farm  
they thought good, and they would grat:  
otherwise; which his Lordship was conu

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An. 1611. James I. And this Examinant further saith, That, about  
1624. April was two Years, the Farmers divided the Farm into thirty-two Parts, proportioning to every Man the Security he was to give to his Majesty; all which the Lord Treasurer allowed, and signed a Warrant to Mr. West, to take the Security accordingly; which Warrant this Examinant carried to Mr. West, who prepared a Condition of a Bond, which was perused and made perfect by Mr. Attorney; and most of the Partners entered Bond accordingly, only there remained five Parts unsecured. And further saith, There were Indentures drawn for distributing the Parts according to the Division made as aforesaid; and, concerning the five Parts unsecured, the Patentees, who would not seal any Indenture but to such as gave Security to the King, took those Parts to themselves, and offered the Lord Treasurer their own Security; but the taking thereof being long delayed, and 500 l. having been given to the Lord Treasurer by Mr. Jacob, which the Farmers were to see repaid to Mr. Jacob; there was a Warrant given to Mr. John Williams, the Cashier of that Farm; and the said Warrant, being so to be written by this Examinant, Mr. Garraway called this Examinant into the Office of the Custom-House, to direct him in the drawing of that Warrant; and accordingly required him to make a Warrant to Mr. Williams for allowing 500 l. to Mr. Jacob; yet so carried himself, that he appeared, to this Examinant, unwilling that this Examinant should know why the said 500 l. was disbursed; yet, in the end, perceiving that he could not well hide it from this Examinant, he plainly told this Examinant, That this 500 l. was given to the Lord Treasurer, to procure him to take the Patentees own Security for those five Parts that had been relinquished; and said, in respect the Farm was not sufficiently secured untill that Security given, he thought it reasonable that 500 l. should be put upon the Charge of the whole Farm; and therefore

fore wished this Examinant so to draw the War- An. 24. James I.  
 rant ; but Mr. *Williams* put it to the Account of 1624.  
 the general Charge : And thereupon Mr. *Jacob*  
 had Allowance thereof, and the 500 l. was put  
 into the Account of the Farm. *And further*  
*saith*, That he hath since understood from Sir  
*John Wolstenholme*, that, as they promised to gra-  
 tify the Lord Treasurer, for leaving the Claim  
 of any Parts in the Farm ; so they have performed  
 it since, in raising the two Years past his New  
 Year's Gift from 1000 Marks to 1000 l.  
*And saith*, That although he hath been much  
 employed in the Busines of that Farm, yet he  
 doth not know any thing that the Lord Treas-  
 urer had any Right or Equity in any Part of  
 that Farm ; and that Claim that he first made,  
 and after relinquished, was only for recommend-  
 ing some Friends, and not for himself.

JOHN HARRISON.

G. Cant.

A. Bath. & Wells.

Pembroke.

W. Say & Seale.

T. Howard.

T. Cov. & Litch.

The Examination of Sir JOHN WOLSTENHOLME,  
 taken the 17th of April, 1624.

The said Examinant saith, ' That the Farmers  
 of the Petty Farms, finding their Busines to suf-  
 fer great Delay with the Lord Treasurer, did, as  
 this Examinant was made acquainted by Mr.  
 Hyde and others, resolve to present his Lordship  
 with 500 l. and that the same was presented ;  
 and Mr. Jacob himself did acknowledge as much.  
*And he further saith*, That between Christmas  
 1621, and April 29th 1622, the Lord Treas-  
 urer challenged a Promise of the Farmers, to have  
 four Parts in the Great Farm for himself and his  
 Friends ; but upon Promise of Thankfulness from  
 the Farmers of the Great Farm, was contented  
 to relinquish those Parts ; in respect whereof Mr.  
 Jacob, afterwards, telling them that my Lord  
 Trea-

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**A.D. 22. James I.** ‘ Treasurer did expect their Thankfulness ; the  
 1624. ‘ Farmers were content to advance his New Year’s  
 ‘ Gift of 1000 Marks to 1000 l. by the Year :  
 ‘ And his Lordship, being agreed, as aforesaid, to  
 ‘ relinquish his Part, upon the said 29th of April  
 ‘ 1622, did sign a Warrant to the King’s Re-  
 ‘ membrancer for taking of Security ; in which  
 ‘ Warrant all the Partners, and the full thirty-two  
 ‘ Parts of the Farm are set down, and no Part  
 ‘ thereof reserved to his Lordship ; after which  
 ‘ Warrant, five of the Partners named in that  
 ‘ Warrant sell off, and would not proceed ; where-  
 ‘ upon the Farmers themselves moved his Lord-  
 ‘ ship to accept their Security for those Parts, and  
 ‘ they would take upon them those Parts ; and his  
 ‘ Lordship then made no Claim to those Parts ;  
 ‘ yet delayed the Warrant by the Space of a Year,  
 ‘ or thereabouts, never claiming any Parts in all  
 ‘ that Time ; but the *East-India* Ships afterwards  
 ‘ coming in, whereby there was apparent Likeli-  
 ‘ hood of Gain, his Lordship then challenged four  
 ‘ Parts, and would not sign the Warrant for ac-  
 ‘ cepting their Security, untill they had promised  
 ‘ or given him 500 l. And this Examinant and  
 ‘ Mr. Garraway signed a Warrant unto Mr. Wil-  
 ‘ liams for Payment of that 500 l. *And saith*,  
 ‘ That when he signed the said Warrant, he had  
 ‘ no Thought or Expectation that the other 500 l.  
 ‘ should ever have been put upon the Great Farm,  
 ‘ but that it should still have rested on the Petty  
 ‘ Farms.

JOHN WOLSTENHOLME,

<b>G. Cant.</b>	<b>Pembroke.</b>
<b>Hamilton.</b>	<b>T. Howard.</b>
<b>H. Mandeville.</b>	<b>H. Southampton.</b>

<b>T. Cov. &amp; Litch.</b>	<b>A. Bath. &amp; Wells.</b>
<b>H. Danvers.</b>	<b>W. Say &amp; Seale.</b>
<b>T. Wentworth.</b>	<b>R. Spencer.</b>

*A Warrant to Mr. WILLIAMS, viz.*An. 22. James I.  
1624.

Mr. Williams, we pray you, pay unto Mr. Fa-  
 cob the Sum of 500 l. given him, by Order from  
 the Farmers, to the Lord Treasurer for a Gra-  
 tuity, and put it to the Account of Charge.

*July 29,* } JOHN WOLSTENHOLME.  
*1623.* } HEN. GARRAWAY.

This Warrant was shewn to John Williams  
 the 17th of April 1624.

JOHN WILLIAMS.

G. Cant.  
 H. Mandeville.  
 Hamikon.  
 Pembroke.

H. Southampton.  
 T. Howard.  
 T. Wentworth.

*The Examination of ABRAHAM JACOB, taken the  
 17th of April 1624.*

The said Examinant saith, ‘ That upon the Con-  
 clusion of the Lease of the Great Customs, the  
 Lord Treasurer told him, that he would reserve  
 some Part in the Farm, nominating at first six  
 Parts, and afterwards four Parts: But the Farmers,  
 fearing that thereby some Partners might be put  
 on them, with whom they had no liking to join,  
 entreated that his Lordship would give them Leave  
 to dispose thereof among their own Friends; and,  
 if the Farm did prosper, they would be thankful  
 to his Lordship: And his Lordship consenting  
 thereto, signed a Warrant to Mr. West, for ta-  
 king Security; in which Warrant the whole  
 Farm was divided into 32 Parts, and all the Part-  
 ners named, with each Man’s Proportion; of  
 which Number five afterwards fell off, and there-  
 upon the Farmers became Suitors to the Lord  
 Treasurer to take their Security for those Parts;  
 to which his Lordship condescended, and said,  
 He would give Warrant accordingly, but did not  
 give Warrant till about June last; in which  
 mean Time the Farmers and Partners did distri-  
 bute and divide the whole Farm by Indentures,  
 reserving those five Parts among themselves, and

‘ &amp;c

**An. 22. James I.** *1624.* ‘ the Money for the first Year was divided among  
 ‘ the Partners, according to the Indentures : But,  
 ‘ in the second Year, the Farm prospering, and  
 ‘ some *East India* Ships coming in, his Lordship  
 ‘ again challenged four Parts ; which this Exami-  
 ‘ nant thought strange, and so told his Lordship ;  
 ‘ for that his Lordship, in the Beginning had wa-  
 ‘ ved that Claim, and had given his Warrant to  
 ‘ Mr. *West* for the whole 32 Parts. To which his  
 ‘ Lordship answered somewhat sharply, and said,  
 ‘ *That was but an Omission.* Besides, this Exami-  
 ‘ nant told him, That he had no Ground for that  
 ‘ Demand, because he desired at first to have it for  
 ‘ others. To which his Lordship answered, *Sir*  
 ‘ Arthur Ingram, and they to whom he meant it,  
 ‘ had left the Parts to himself. Whereupon this  
 ‘ Examinant and his Partners, not knowing how to  
 ‘ withstand his Lordship’s Will, tho’ they knew no  
 ‘ just Reason of his Demand, were driven to think  
 ‘ of some Course to satisfy his Lordship ; and the  
 ‘ Farmers of the Petty Farms, whose Busines for  
 ‘ their 9500 l. had been long delayed, having about  
 ‘ that Time fallen into a Resolution to present his  
 ‘ Lordship with 500 l. the Farmers of the Great  
 ‘ Customs also agreed to add 500 l. more : And this  
 ‘ Examinant, by Warrant from the Farmers of  
 ‘ the Great Farm, delivered his Lordship 1000 l.  
 ‘ 500 l. whereof was again allowed upon the Great  
 ‘ Farm to this Examinant, and other 500 l. out of  
 ‘ the Petty Farms ; and thereupon the Busines of  
 ‘ both Farms had a Dispatch. *And saith,* That the  
 ‘ Farmers of the Petty Farms did, as this Depo-  
 ‘ nent assuredly believeth, disburse that Money for  
 ‘ their own Busines, and not the Busines of the  
 ‘ Great Farm. *And saith,* That the severall Sums  
 ‘ of 500 l. were severally put upon the Accounts  
 ‘ of the severall Farms, and so continued till about  
 ‘ January last ; and then his Lordship having, as  
 ‘ it seemed, some Notice how these Monies were  
 ‘ set in the Accounts, asked this Examinant there-  
 ‘ of : And this Examinant taking Time till the  
 ‘ Morrow, and then bringing word unto his Lord-  
 ‘ ship,

ship, that 500 l. was set upon the Great Farms, An. 22. James I.  
and 500 l. upon the Petty Farms, his Lordship,  
in some Passion, said, *They have done me Wrong,*  
*this will trench upon my Honour, I received of you*  
*the 1000 l. for my Parts of the Great Farm, and*  
*it had no Reference to the Petty Farm;* and, after  
considering of it about two Days, sent for this  
Examinant, and dealt with him to have the Ac-  
counts mended; which this Examinant, with  
Consent of the Farmers, procured; yet the Lord  
Treasurer, not contented therewith, after two  
or three Journies, caused this Examinant, with  
Consent of the Farmers, to write a Letter to his  
Lordship, dated in June last, (by Antedate, tho'  
written in January last) whereby this Examinant  
did intimate or acknowledge, that the 1000 l.  
was given his Lordship for four 32 Parts of the  
Great Farm; and at the same Time his Lord-  
ship gave an Acquittance to this Examinant, with  
the like Antedate, acknowledging the Receipt of  
the 1000 l. for the said four 32 Parts; which  
Acquittance was now delivered to the Lords  
Committees. *And saith,* There was no Ac-  
quitance required, nor Receipt taken till Janu-  
ary last; but the Lord Treasurer sending *Catch-*  
*may,* his Servant, to receive the Money, com-  
manded him to give no Receipt nor Acquittance  
to this Examinant, but to leave it to his Lord-  
ship. And this Examinant paid the said 1000 l.  
to *Catchmay* the 27th of June last. *And fur-*  
*ther saith,* That where the Farmers promised to  
be thankful to his Lordship for waving his Parts,  
if their Farm prospered, they raised his New-  
Year's Gift from 1000 Marks to 1000 l.

ABRAHAM JACOB.

G - Cant.	T. Wentworth.
Tho. Cov. & Litch.	Theo. Howard.
H - Southampton.	Henry Danvers.
H - Mandeville.	W. Say & Seal.
R - b. Bath. & Wells.	

An. 22. James I. 1624. ‘ Then the said antedated Letter and Acquittance, mentioned in the Examination of *Abraham Jacob*, for the said 1000 l. to be paid the 27th of June, 1623, for the said four 32 Parts, was read. And, to prove the third Corruption, shaddowed under the Pretext of a New-Year’s Gift, were read these Examinations, viz.

*The Examination of ABRAHAM JACOB, taken the 20th of April, 1624.*

*The said Examinant saith,* ‘ That the Farmers of the Petty Farms having, at Christmas last, presented the Lord Treasurer with a Tun of Wine; shortly after the Lord Treasurer, misliking thereof, told this Examinant, That they had included three Farms in one Lease; and that the Lord Treasurer used to be presented out of all those Farms, yet they now put him off with a Tun of Wine; and did very much express himself offended thereat, and did let fly at this Examinant for the same: And thereupon this Examinant moved the Farmers, who consented to give him 100 l. but the Lord Treasurer said it was too little. *And saith*, That when his Lordship declared himself offended at the Smalness of the Present sent to him as aforesaid, this Examinant told him, That the Farmers intended to present him with two Pipes of *Canary Wines*: But his Lordship said, He would not be so used; and slighted the Offer.

ABRAHAM JACOB.

G. Cant.  
H. Mandeville.  
Hamilton.  
Pembroke.  
H. Southampton.

Theo. Howard.  
Tho. Cov. & Litch.  
Arth. Bath. & Wells.  
F. Russell.  
F. Brooke.

The Examination of BERNARD HYDE, taken the 20th of April, 1624.

An. 22, James I.  
1624.

' He deposeth to the Presentment of the Tun of Wine, as aforesaid, to the Lord Treasurer, with an Intent also to present him with a Pipe of Canary Wine, or the best Sack: That Mr. Jacob told him and others, That the Lord Treasurer was angry that he was not better regarded; and that he expected a better Gratification; and that his Lordship named 200l. That therefore he delivered 100l. to the Lord Treasurer's own Hand; but the Pipe of sweet Wines was forborne to be sent.

BERNARD HYDE.

' Here Mr. Attorney ended the CHARGE for the said three Corruptions.'

The Lord Treasurer answered, That the greatest Part of these Proofs swear not that they of the Petty Farm gave him the 500 l. That it is true the Great Farmers paid it to his Lordship, and laid it on the Petty Farm, and deceived them and abused his Lordship thereby.

The Lord Treasurer's Answer to the Charge of Corruption.

He denied that the Petty Farmers were Suitors to his Majesty at such Time as is affirmed; but they complained to his Lordship, and he directed them to exhibit their Bill into the Exchequer Chamber, and ordered Mr. Attorney to answer it: That they liked it not; but, by some powerful Means, delivered a Petition to the King, (a very scandalous Petition against his Lordship) which the King referred to the Chancellor and himself: That they demanded an Allowance of 5000 l. to be presently made, and he allowed them 19500 l. to be paid in nine Years and a Half; for which he deserv'd no Bribe: That his Warrant the Attorney was delayed for these two Causes.

First, For that his Lordship propounded to buy their Farm for the King.

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An. 22. James I.  
1624.

Secondly, For that their Warrant was not drawn as it ought to be.

Touching the Great Farm, his Lordship said, He would make it appear, that he had reserved four 32 Parts therein for himself and his Friends; and alledged, That those Farmers have confessed that, their Farms prospering, he thereupon did demand a Recompence for his Part.

Here his Lordship read the Heads of his Proofs out of a Paper, and then required that the Examinations taken on his Part might be read; which were read accordingly by the Clerk, viz.

### *The Examination of Sir ARTHUR INGRAM, Knt. taken the 3d of May, 1624.*

Examinations in  
his Favour.

That some Time before Christmas, 1621, the old Farmers of the Great Farm, viz. Sir John Wolstenholme, Henry Garraway, Abraham Jacob, and others, were Suitors to the Lord Treasurer for the renewing of their Lease of the same Farm, and made Offer to give his Majesty so much yearly Rent for the same, as (they alledged) none other would give; whereupon the Lord Treasurer acquainted this Deponent therewithall, and desired him, for the better Advancement of his Majesty's Rent and Service, to do his Endeavour to procure some sufficient Persons to join with him, to make an Offer for the undertaking of the said Farm; and thereupon he, this Deponent, dealt with divers Persons of his Acquaintance, of good Quality, for that Purpose; and he, together with some of them, as, namely, Sir Philip Carey, Mr. Alderman Johnson, Mr. John Eldred, William Ferrers, Esq; and one Mr. Cooper, for themselves, and others who were willing to join with them, did make an Offer of 1000 £. per Annum more than was offered by the old Farmers; which, when they had Notice of, then, and not before, they offered near as much, or thereabouts.

That

That he, this Deponent, was afterwards told, An. 22. James I.  
 that the King's Majesty had signified his gracious  
 Pleasure, that the old Farmers should be prefer-  
 red to the new, at that improved Offer they had  
 made, before any others; and thereupon he, this  
 Deponent, did desire the Lord Treasurer, that  
 forasmuch as the said Offer, made by him and  
 his Friends, was the Cause of that Improvement,  
 therefore his Lordship would reserve some Part  
 of the Great Farm to gratify such of them with-  
 all, as would be desirous to have any Part there-  
 of; for their better Encouragement to do his  
 Majesty Service afterwards.

That he hath heard it credibly affirmed, That  
 the same Great Farm, at the first Agreement for  
 the new-taking thereof, was divided into 32  
 Parts, whereof some of the old Farmers, and  
 their Partners, had, or were to have, some of  
 them more of the same Parts than others, and  
 some less. And he, this Deponent, saith, That  
 he having formerly moved the Lord Treasurer  
 to reserve some Parts for his Friends, the rather  
 to encourage them to join with him again in any  
 the like Service, the Lord Treasurer, at or about  
 that Time, told this Deponent, That he had re-  
 served six 32 Parts of the said Farm to be dispo-  
 sed among them as he, this Deponent, thought  
 good; and then he, this Deponent, did make  
 some of his Friends acquainted therewith, name-  
 ly, Sir Philip Carey, Mr. Ferrers, Mr. Cooper,  
 and some others; who, at the first, seem'd wil-  
 ling to undertake some of the same Parts; but,  
 afterwards, perceiving that thereby they should  
 enter into great Bonds to the King for the Pay-  
 ment of the Rent, and undergo other great Ad-  
 ventures; and yet should have no Hand in the  
 managing of the Business, but that the old Far-  
 mers would retain the Execution thereof wholly  
 to themselves, as formerly they had done; there-  
 fore those his Friends, which at the first seemed  
 willing, did return Thanks to this Deponent for  
 his Kindness in that Behalf, and refused to have

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An. 22. James I. 1624. any of the same Parts at all: Whereupon this  
Deponent did shortly after acquaint the Lord  
Treasurer with such their Refusal, and, giving  
his Lordship like Thanks, did leave all the same  
Parts to the Lord Treasurer again in his own  
Power, to be disposed as he thought fit.

### ARTH. INGRAM.

Pembroke.  
E. Sheffield.  
G. Meneven.

E. Montagu.  
Ro. Bristol.

### The Examination of GEORGE LOWE of London, Merchant, taken May 3, 1624. in hac Verba.

George Lowe, of London, Merchant, was desirous to have a Part in that Great Farm, and did move Sir John Wolstenholme, and Mr. Henry Garraway, two of the Farmers, that he might have a Part with them in the same Farm. Mr. Garraway answered, That all their Parts were appointed and disposed of; but said, That the Lord Treasurer had reserved some Parts to his own disposing, and that his Lordship might let me have a Part, if he so pleased.

### GEO. LOWE.

Pembroke.  
E. Sheffield.  
G. Meneven.

E. Montagu.  
Ro. Bristol.

### The Examination of RICHARD VENN, taken the 3d of May, 1624.

I was twice or thrice with Sir John Wolstenholme, one of the new Patentees, to entreat I might have a Part in the Great Farm with him and his Partners; with whom I hoped to have prevailed, because I had formerly been a Partner with him in the Great Farm, and at that Time, and now also, I am Partner with them in the Petty

Petty Farm: But he answered me plainly, Their An. 22. James I.  
 Parts were all full; and appointed me, if I desired 1604.  
 to have a Part, I must repair unto the Lord Tre-  
 surer; which accordingly I did: It pleased his  
 Lordship to answer me, That he would do his  
 best to help me to a Part, for he had reserved  
 some Parts. Afterwards, upon further Conside-  
 ration, knowing the Merchant Adventurers had  
 lost the one Half of their Trade, and that they  
 imported little else but Spices for their Return,  
 myself being a poor Member of that Company,  
 and that the Farmers chief Hopes were upon the  
*East India* Trade; I did attend upon my Lord  
 Treasurer again, and prayed his Lordship, if it  
 might not be offensive, that if he intended me  
 any Part, he would bestow it elsewhere.

## RICHARD VENN.

Pembroke.  
 R. Sheffield.  
 G. Moncure.

E. Montagu.  
 Ro. Bristol.

*The Examination of EDWARD FERRERS, taken  
 the 24th of May, 1624.*

That he hath no Part in the Great Farm;  
 but upon the Farmers taking a new Lease there-  
 of of his Majesty, then the Examinant did ear-  
 nestly desire the Lord Treasurer to have a Part  
 of the Great Farm, and Employment in the  
 Custom-House. His Lordship promised this Ex-  
 aminant, that he should have one of the 32  
 Parts in the Great Farm, and also Employment  
 in the Custom-House. This Examinant often  
 attended his Lordship about a Month and more  
 to accomplish his Desire, his Lordship told him,  
 he might have one of the 32 Parts, but no Em-  
 ployment; for the old Farmers had told his Lord-  
 ship, That they would have no new Man to  
 come in to see into their old Accounts, as his  
 Lordship said: Whereupon this Examinant an-  
 swered,

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An. 22. James I. 1624. ‘ swered, He would have no Part of the Farm without Employment ; and so relinquished his Lordship of his Promise.

‘ That he afterwards acquainted Mr. Abraham Jacob, one of the Farmers, with the said Request to the Lord Treasurer, and desired his Furtherance therein ; who replied, If my Lord Treasurer have promised you, you may trust on him to perform it.

EDWARD FERRERS.

Pembroke.

E. Sheffield.

G. Meneven.

E. Montagu.

Ro. Bristol.

### *The Examination of Sir NICHOLAS FORTESCUE, Knight, taken the 3d of May, 1624.*

‘ The Lord Treasurer promised I should have one of the 32 Parts of the Great Farm, which I had entered into Bond for, as others did, by his Lordship’s Appointment. The said Part I still have, and did ever conceive he did appoint it for me, according to his Lordship’s Promise about the Time the Great Farm was set.

NICH. FORTESCUE.

Pembroke.

E. Sheffield.

G. Meneven.

E. Montagu.

Ro. Bristol.

### *The Examination of Sir PHILIP CAREY, Knight, taken the 3d of May, 1624.*

‘ When the Farmers had made their Contract with the Lord Treasurer for the Great Farm, I entreated his Lordship that I might have some Part in it, in respect I had been one of those who had bidden for that Farm, and been a Means to raise it for the King’s Benefit. His Lordship then promised me that I should have one of the 32 Parts. Within few Days after, meeting with Mr.

• Mr. Abraham Jacob, I told him that I had heard, An. 22. James I.  
 • that he, and the rest of the Farmers had conclu- 1624.  
 • ded with my Lord Treasurer for the Great Farm,  
 • whereupon I had requested his Lordship for a Part  
 • in it, and he had promised to reserve one of the 32  
 • Parts for me. Mr. Jacob answered, I needed not to  
 • have troubled my Lord for it, for that I might have  
 • had so much from the Farmers themselves, if I  
 • had desired it of them. I said, That was more  
 • than I did know. But when I understood that I  
 • must enter into Bond of 1500 l. to the King,  
 • and that the Managing of the Business must be  
 • put into the Hands of a few Committees, the  
 • rest of us fitting for Cyphers; and doubting that  
 • the Benefit of the Bargain would not be worth  
 • the undergoing these Inconveniences, I resolved  
 • with myself absolutely to relinquish; and intreat-  
 • ed Sir Dudley Diggs to signify so much to the  
 • Farmers, together with my Reasons for so doing;  
 • which, not long after, he told me he had done,  
 • and that they were contented, and would forbear it.

PHIL. CAREY.

Pembroke.  
 E. Sheffield.  
 G. Meneven.

E. Montagu.  
 Ro. Bristol.

The Examination of Sir RICHARD WESTON, Chancellor of the Exchequer.

‘ That I had two 32 Parts in the Great Farm,  
 • and that, about March or April was Twelve-  
 • Months, I sold these two 32 Parts to the Far-  
 • mers for 500 l. which the Deed and Bond be-  
 • tween the Farmers and me will declare.

‘ That about Midsummer last, going with my  
 • Lord Treasurer in his Coach to Chelsea, he told  
 • me, with some Joy, That he had sold his four  
 • 32 Parts to the Farmers for 1000 l. and that he  
 • had

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of James I. had made that Bargain after the Rate of mine,  
1624. being remembred of it by Sir Arthur Ingram.

RICHARD WESTON.

Pembroke.  
E. Sheffield.  
G. Meneven.

E. Montagu.  
Ro. Bristol.

• These Examinations being read, Mr. Walls (the Lord Treasurer's Secretary; who assisted his Lordship in sorting his Papers) withdrew himself by Commandment of the Lords.

The Lord Treasurer's further Defence. • Then the Lord Treasurer made a brief Repe-tition of his Proofs of his Interest in some 32 Parts of the Great Farm; and took Exception against the Testimony of Abraham Jacob, for it varied in Time of Payment of his 1000 l. from the Testimony of Bernard Hyde. And his Lordship af-firmed, That the 500 l. was misplaced by him, the said Abraham Jacob and two more, on the Farmers of the Petty Farms; whereas he received the same only for his Interest in four 32 Parts of the Great Farm.

• And as touching the antedated Letter, and the antedated Acquittance, his Lordship said, That they were so done, lest Abraham Jacob should die, and so his Testimony be lost.

Mr. Attorney's Answer. • Unto which Mr. Attorney replied, That it is sufficiently prov'd, that the said Treasurer, neither when he received the 1000 l. nor long before, had any Right to the said 32 Parts: And thereupon he stated the Case as before, and rehearsed the seven Reasons by him formerly alledged, to prove that the Lord Treasurer had waved his Proposition of ha-ving the disposing of any Part in the Great Farm: And further, he directed the Clerk to read this Ex-amination, taken here ex parte Dom. Thesaur. viz.

The Examination of Mr. HENRY GARRAWAY.

Examinations thereupon.

• That he doth absolutely deny, That the Lord Treasurer, at that Time of his Demand of 1000 l. whic

which was about the Middle of June last, to his An. 22. James I.  
 best Remembrance, had any Interest or Right to 1624.  
 any Part in the Great Farm ; holding his Lord-  
 ship exempted from, and the Patentees invested  
 in, those Parts so relinquished, when his Lord-  
 ship had signed the Warrant to Mr *West*, his Ma-  
 jesty's Remembrancer, to accept of their Security :  
 But the said *Henry Garraway* confesseth, That he  
 doth well remember, that Mr. *Jacob* did inti-  
 mate unto him, and to the rest of the Patentees,  
 the Lord Treasurer's Demand of 1000 l. under  
 Pretence of four 32 Parts of the Farm ; but not  
 in that Manner that we should buy them, or he  
 sell them to us ; which Motion, he also remem-  
 breth well, they entertained with a great deal of  
 Indignation ; wondering what his Lordship should  
 mean, to lay Claim to that he had no Manner of  
 Right unto. But when this Deponent and  
 Partners saw and perceived by Mr. *Jacob*, that  
 the Lord Treasurer was bent, by all Means, to  
 have his Will ; after some few Days Consideration  
 of their Business then depending with his Lord-  
 ship, namely, the signing of the Warrant for the  
 Recompence of the Damage sustained by the Pet-  
 ty Farms, and likewise the Warrant for perfect-  
 ing the Security for the Parts of the Great Farm,  
 relinquished by Sir *Philip Carey*, and others ; they  
 resolved, having the Consent of the Partners in  
 the Petty Farms, to give Liberty to Mr. *Jacob*  
 to promise his Lordship 1000 l. whereof 500 l.  
 was to be paid by one Farm, and 500 l. by the  
 other ; but without any Acknowledgement of  
 Right.

That Mr *Jacob* had Order from the Deponent,  
 and his Partners in the Great Farm, for 500 l.  
 and from Mr. *Hyde* and Mr. *Davies*, and other  
 Partners in the Petty Farms, for other 500 l. to  
 be given to his Lordship, as a Gratuity to prefer  
 their Business ; but not for any Interest to any  
 Parts of the Great Farm, as he conceiveth.

That he conceiveth it to be true, that Mr. *Ja-  
 cob* paid unto the Lord Treasurer, in one entire  
 Payment,

An. 22. James I. 1624. Payment, 1000 l. as in the former Depositions is declared ; and that the said Payment, as he hath heard Mr. Jacob say, was about the latter End of June last. That presently after the Lord Treasurer had sign'd the Warrant to Mr. John West, for the accepting of their Security, as aforesaid, which was in April, 1622, to this Deponent's best Remembrance, he this Deponent and his Partners, the Patentees in the Great Farm, gave Order to draw up the Indentures for the Division of the whole 32 Parts ; which was done long before the Lord Treasurer made any Demand of six Parts ; for, to this Deponent's best Remembrance, the Lord Treasurer did not make any Demand till the Month of June, 1623. And as to the Parts divided among the Patentees, this Deponent doth make Answer, that the Division then made was as follows, viz.

- ‘ To Sir John Wolstenholme, five 32 Parts and three Fourths.
- ‘ To Mr. Abraham Jacob, four 32 Parts and three Fourths.
- ‘ To Mr. Morrice Abbot, four 32 Parts and three Fourths.
- ‘ To this Deponent five 32 Parts and three Fourths.
- ‘ But at the Time Mr. Jacob made the Proposition on the Behalf of the Lord Treasurer, there was no new Division ; for that the whole thirty two Parts were all divided long before.
- ‘ That the said 1000 l. was given by Consent of those that had the Managing of the Business in both Farms, as is before declared ; and it was, after a Consultation had among the Partners of both Farms, and not before ; and the Partners that were present at those Consultations were, Sir John Wolstenholme, Mr. Abraham Jacob, Mr. Bernard Hyde, Mr. Abraham Dawes, Mr. John Harrison, and this Deponent, all Partners in the Petty Farms, and all, excepting Mr. Hyde, interested in the Great Farm ; but whether any other

‘ other of the Partners were present, he remembers An. 22. James I.  
‘ not.

1624.

‘ That the Patentees of the Great Farm did ne-  
‘ ver, to his Knowledge, demand of the Partners of  
‘ the Petty Farms any Sum of Money to be given  
‘ to the Lord Treasurer : But the Partners in the  
‘ Petty Farm, without Motion from the Patentees  
‘ of the Great Farm, (finding their Business for lack  
‘ of Recompence had so long stuck) did freely, and of  
‘ their own Accord, declare their Consent to give  
‘ 500 l. as conceiving their Busines would never  
‘ have an End, till the Lord Treasurer was grati-  
‘ fied : And, on the other Side, the Patentees of the  
‘ Great Farm, finding themselves oppressed with  
‘ an unjust Demand, were willing to entertain their  
‘ Offer to ease themselves of that Part of the  
‘ Burthen.

‘ That hitherto the 500 l. charged in the Ac-  
‘ count of the Petty Farms, as a Gratification to  
‘ the Lord Treasurer, is not yet passed to the Ac-  
‘ count of the Great Farm ; but he acknowledgeth  
‘ it to be true, That, at the Importunity of the  
‘ Lord Treasurer, made unto them in January or  
‘ February last, when he alledged that it might  
‘ entrench upon him in point of his Honour, if it  
‘ were not taken off from that Account, and paid  
‘ unto the Partners of the Petty Farms, the Pa-  
‘ tentees not being willing to deny the Lord Treas-  
‘ surer of *England* for a Matter of 500 l. did give  
‘ their Consent to take the Burthen upon them-  
‘ selves, in equal Shares for this, viz. 125 l. for  
‘ every Patentee’s fourth Part.

‘ That the four Patentees of the Great Farm  
‘ then (when Mr *Jacob* had made the Proposition  
‘ for 1000 l. for the Lord Treasurer) did agree  
‘ only to pay 500 l. and to accept of the Offer of  
‘ the Petty Farmers for the other 500 l. which 500 l.  
‘ so by them, the Patentees of the Great Farm, to  
‘ be given, they ever intended for a Gratification  
‘ for passing of their Security ; and the Warrant,  
‘ which did order Mr *Williams*, their Treasurer,  
‘ to repay the said 500 l. to Mr. *Jacob*, do-

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Ap. 22 James I. 1624. Mention that it was for a Gratification, as by the said Warrant it doth and may appear ; the said Sum of 500l. remaining to this Day, in the same Nature it was paid, without any Alteration.  
It is true, that the four Patentees have equally divided among them the Parts relinquished by Sir Philip Carey, and the rest ; for they are only bound as Patentees to his Majesty, and the rest but as Sureties ; and if all the rest of the Partners should have relinquished, they were bound to take the same upon themselves.

HEN. GARRAWAY.

Pembroke.  
E. Sheffield.  
G. Meneven.

E. Montagu.  
Ro. Bristol.

‘ The Examination of Sir John Wolstenholme, Knight, was to the same Effect.’

*The Examination of ABRAHAM JACOB, taken ex Parte Domini Regis, April 17. 1624.*

That the Lord Treasurer’s Demand of the four 3<sup>2</sup> Parts was after the Farmers had divided the Profits thereof among themselves, for one Year, by Indentures ; and after the Lord Treasurer had waved his Claim, and had given his Warrant to Mr. West for the whole 3<sup>2</sup> Parts, &c. *ut antea*, (P. 240.)

And, as touching the Lord Treasurer’s Exception to the Testimonies of Abraham Jacob, for that it varied in Time from Bernard Hyde, Mr. Attorney shewed, that Abraham Jacob deposeth, That he paid the Money to the Lord Treasurer on the 27th of June, 1623, by Direction from the Farmers, and Bernard Hyde swears, That the Money was delivered to Jacob the 31st of July, 1623 ; which was ‘by way of Allowance back again, so no Contradiction between them.’

\* Then

\* Then the Lord Treasurer protested, That, as An. 22. James I.  
he shall answere it at the fearful Day of Judgment, 1604.  
he received that 1000*l.* for no other Consideration  
than for his Share in the four 32 Parts.

\* And as touching the third Corruption, by way  
of a New-Year's Gift, he said, That nothing be- The Lord Tre-  
shings to the Lord Treasurer's Place but 20*s.* per surer protests his  
Diem, the Sale of the Places when they fall, and the Innocency there-  
New-Year's Gifts; and denied, That he urged them in.

All which, he said, he would humbly leave to  
their Lordships honourable Consideration; and, with-  
all, requested their Lordships to forbear his further  
Attendance here till Monday next, because he had  
Spent his Spirits so far, that his Cause might other-  
wise suffer thro' his Weakness. And so withdrew  
himself.

\* The Lords granted his Request, and com-  
manded the Gentleman Usher to signify so much  
to his Lordship; and further ordered, that he should  
attend their Lordships here again on Monday next,  
at Eight in the Morning, at the Bar.'

\* An Order was signed by the Clerk accord-  
ingly, and sent to the Lord Treasurer.'

*May 8.* This Day the Lords received from the  
Commons, by Sir Edward Coke, Knt. and others,  
eight Bills, along with this Message, \* That the The Commons  
Commons do humbly desire to know, what Time  
their Lordships will please to appoint for a Confe-  
rence touching the Bill on Monopolies. desire a Confe-  
rence on a Bill  
against Mono-  
polies, &c.

\* They do also desire a Conference touching  
some Accusation against the Lord Bishop of Nor-  
wich, unto which his Lordship has not yet been  
heard; humbly leaving the Time and Place to their  
Appointment.

\* And they do earnestly recommend to their  
Lordships Consideration, that general Peace-maker  
of England, the Bill of Concealments.'

*Answer.* \* The Lords have appointed a Confe-  
rence concerning Monopolies this Afternoon, at  
Three, in the Painted Chamber.

\* They

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An. 22. James I.  
1621. ‘ They have not yet resolved of a Time for the Conference touching Accusations against the Lord Bishop of *Norwich*; for that divers of the Lords are now absent: But, as soon as they can conveniently appoint a Time for the same, their Lordships will send to them by Messengers of their own.

‘ As touching the Bill of Concealments, their Lordships have taken the same into their serious Consideration; and it is only deferred for that all the King’s Council, who are appointed to attend the same, are, at this Time, otherwise employed: But their Lordships do promise all possible Expedition therein.’

May 10. The Lord Keeper put the House in mind of the Business concerning the Lord Treasurer, to be proceeded in this Morning. And his Lordship being brought to the Bar, Mr. Sergeant Crew open’d the Charge against him on the Lease of Sugars, in this Manner;

### S U G A R S.

*Quarto Decembris, Anno 18 Jacobi.*

Proceedings against the Lord Treasurer on the Lease for Sugars. THE King leases to George Herriot the Im-  
post on Sugars, to hold from *Christmas* fol-  
lowing, for three Years, at the Rent of 5666 l.  
13s. 4d. per *Annum*, payable at *Midsummer* and  
*Christmas*.

*Duodecimo Januarij, Anno 19 Jacobi.*

‘ The Lord Treasurer procures George Herriot to surrender that Lease; and, the next Day, takes a Lease thereof from the King, unto Nicholas Harman and Thomas Catchmay, (two of his Lordships Servants) unto his own Use, at 2000 l. Rent per *Annum*, and lets the same unto the Farmers at 6000 l. per *Annum*: And, to effect this Surrender, gives Order, in a Time of Scarcity of Money, for the Payment of 14,865 l. due unto the said Herriot for Jewels, which was paid, between the 15th of December, 1621, and the 10th of January follow-  
ing, in this Manner, viz. 7000 l. odd Money, out of the Arrears of the said George Herriot’s Rents,  
and

and 7000 l. odd Money, out of the Tobacco Farm, An. 22. James I.,  
by way of Anticipation.' 1624.

' The Crime objected against the Lord Treasurer herein is this: Had *Herriot's Lease* continued, *Herriot's Debt* had been paid out of his Rent; and the said Treasurer has not only caused the said Lease to be surrendered, and procured a new Lease thereof unto his Servants, to his own Use, at a far less Rent; but hath laid 7000 l. of that Debt upon the Farm of Tobacco: And this he hath done in a Time of Scarcity of Money, even then when he caused the Impositions to be laid on the Wines for a Supply for the *Palatinate*: And further, he hath paid the smaller Rent of 2000 l. *per Annum*, very slowly unto the King; an Arrear of 3000 l. thereof being paid since the 31st of December last, after the Summons of this Parliament.'

' And whereas, for the Advancement of Trade, the Merchants, upon the Exportation of their Merchandizes, are repaid their Custom, which they formerly paid upon the Importation: This is denied upon the Exportation of Sugars, to the Damage of the Merchants, and for the Lord Treasurer's private Gain.'

' Then the Clerk read the Proofs, viz.

*The Certificate of Sir ROBERT PYE and Sir EDWARD WARDOUR.*

*Mr. Herriot's Debt due to him for Jewels, and in what Manner he was paid the same, between December 1621, and January following, viz.* *Certificates and Examinations therupon.*

' December 17, 1621, there was allowed (by Order from the Lord Treasurer, December 15, 1621) unto Mr. Herriot for Jewels sold to the late Queen Anne, in part of Payment of 3584 l. 16s. 10d. the Sum of	l. s. d.
	792 13 6

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An. 22. James I.  
1624.

*Brought over*

*l. s. d.*  
**792 13 6**

• More allowed unto him by like ‘ Order from the Lord Treas- urer, December 17. in full • Payment of the said Sum of ‘ 3584 l. 16 s. 10 d.	} 2792 3 4	<b>3584 16 10</b>
• <i>January 10, 1621</i> , more al- lowed unto Mr. Herriot, by several Orders from the Lord Treasurer, for Jewels, &c. ‘ by him, at sundry Times, delivered, and now paid for, between the said 15th of December, 1621, and the 10th of January following, over and besides the Sums above mentioned	} 11,280 3 2	
• The Sum Total of all the Mo- ney allowed by the Lord Treas- urer, unto Mr. Herriot, is	} 14,865 0 6	

*The Manner how these Monies were allowed and paid  
unto Mr. Herriot, was as followeth :*

• December 15, 1621, there was ‘ a Tally struck, at the Receipt ‘ of the Exchequer, upon the ‘ Farm of the Impost of Su- ‘ gars, being the Remainder in ‘ Mr. Herriot’s Hands upon his ‘ Account for	} 2133 10 6	
• There was likewise another Tal- ‘ ly struck upon the Sugars, for ‘ a whole Year’s Rent due at ‘ Christmas, 1621, then next ‘ following, by Mr. Herriot ‘ for		
	} 5666 13 4	

*Brought*

Brought over	<i>l.</i>	<i>s.</i>	<i>d.</i>	An. 22. James I.
	7800	3	10	1624.
January 10, 1621, there were likewise two other Tallies more struck upon William Burton and Peter Sanderson, on the Tobacco Farm newly lett to them by Letters Pa- tent dated Dec. 21, 1621, by way of Anticipation, for the Sum of	7064	16	2	
	14,865	0	0	

This being clear'd, the new Grant of Sugars began  
the —— of January, 1621, as followeth:

January 23, 1621, the Lease of Sugars was granted unto Ni- cholas Harman, and Thomas Catchmay, by Indenture, da- ted Jan. 23, 1621, Anno 19. For, but they paid not their first Half-Year's Rent untill Jan. 23, 1622, which was then paid for the Half- Year ended at Midsummer, 1622,	1000	0	0
Paid by them for the Half- Year's Rent due at Christmas, 1622,	1000	0	0
More paid by them the same Day for the Half-Year's Rent at Midsummer, 1623	1000	0	0
Also paid by them for the Half- Year's Rent, due at Christmas last, 1623,	1000	0	0
	4000	0	0

RO. PYE.  
EDW. WARDOUR.

G. Cant.

H. Mandeville.

H. Southampton.

Tho. Cov. & Litch.

A. Bath. & Wells.

H. Danvers.

R. 2

The

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An. 22. James I. *The Examination of Sir JOHN WOLSTENHOLME,  
1624. Knight, ABRAHAM JACOB, and HENRY GAR-  
RAWAY, taken the 27th of April, 1624.*

*The said Examinants say, ' That they and Mr.  
Morrice Abbot, and Mr. Dawes, are Farmers to  
the Lord Treasurer of the Farm of Sugars, at  
the Rent of 6000 l. per Annum. And say, There  
is not any Allowance made to the Merchant,  
upon the Exportation of Sugars, of the Impost  
which the Merchant paid upon the Importation  
of the same, according as in the Case of other  
Merchandise. And they say, That paying so  
great a Rent, they may not allow the Impost to  
the Merchant, unless they have their Rent abated,  
or that his Majesty will bear the Burthen and  
Charge of that Allowance. And say, That they  
have moved the Lord Treasurer, that an Allow-  
ance be made to the Merchant for the Advance-  
ment of Trade ; and his Lordship took the same  
into Consideration, but hath not given Direction  
therein. And further say, That such as farmed  
the Sugars before these Examinants, did not give  
that Allowance ; and therefore these Examinants,  
following the same Courses, did not yield any  
Allowance, more than had been before their  
Time.*

JOHN WOLSTENHOLME.  
ABRAHAM JACOB.  
HENRY GARRAWAY.

G. Cant.  
Tho. Cov. & Litch.  
T. Wentworth.  
H. Danvers.

H. Mandeville.  
Arthur Bath. & Wells.  
T. Howard.  
R. Spencer.

*' The Examination of George Stroud, George  
Kendal, and Abraham Dawes, to prove the same,  
touching the Impost not paid, were to the same  
Effect as the above.'*

## Of E N G L A N D. 261

‘ As to this Part of the Charge the Lord Treasurier confessed, *That the Lease to Herriot was at the Rent of 5666 l. 13 s. 4 d. and the Lease to his own Use, (upon the Surrender) at 2000 l. Rent; and that he hath let the same at 6000 l. per Annum;* and affirmed, *That his Majesty was first acquainted with it, and well allowed thereof.* An. 22. James I. 1624. The Lord Treasurier's Defence.

‘ Hereupon the Lord Keeper signified to the House, that the King had commanded him to tell their Lordships, That his Majesty understood that the Lord Treasurer should gain by his Lease 4000 l. per Annum.----So there was no further Proceeding in that Point of the Charge.’

‘ The Lord Treasurer also confessed, *That he paid Herriot 14,000 l. odd Money; but affirmed, That it was a just Debt, and that Herriot had a Power to pay himself, by a Privy Seal, out of his Rent.*

‘ His Lordship denied, *That he paid 7000 l. of that Debt out of the Tobacco Farm, by way of Anticipation; and said he only transferred it from the Sugars to the Tobacco, and justified the same; for that the King's Meaning was, That he should have 4000 l. per Annum out of the Impost for Sugars, presently upon his Surrender of the Wardrobe: And the King lost not by it, for he, the Lord Treasurer, had, for the Disbursements of the Wardrobe, 20,000 l. per Annum, which he hath now settled at 16,000 l. Per Annum, and yet the King's State therein main'tain'd, and a Noble Gentleman rewarded.*

‘ Touching the slow Payment of his Rent, he denied it not; but said, *He had disbursed as much, or more, before-hand for the King in other Matters.*

‘ As touching the Impost not return'd upon the Exportation of Sugars, his Lordship denied, *That it was ever demanded of him; and affirm'd, That if it be due, then the Farmers are tied by his Lease to them to repay it; but if they be not so tied, that then he will pay it all, both for the Time past and to come.* And thus ended the Charge for the Sugars.

An. 22. James I.  
1624.*The Charge as  
to Groceries.*

## G R O C E R Y.

‘ Then Mr. Sergeant Crew open’d the Charge against the Lord Treasurer, touching his Lordship’s Warrants to levy Compositions for Purveyance Grocery in the Out-Ports, after this Manner, viz.

‘ That the City of London did compound with the King for Grocery : But the Out-Ports refused especially Bristol, and yielded to Purveyance Kind ; and that Bristol had an Order for this the Exchequer, in the Time of Robert Earl of Salisbury, late Lord Treasurer : Yet, notwithstanding this, the Lord Treasurer directed his Warrant to levy this Composition ; and, altho’ it was never due to the King, nor any such Composition entered into the Compting-House, his Lordship commanded their Goods, then in the Ports, to be staved, and not entered, till it was paid, or Bonds given for it ; and thereby constrained some Ports to pay it, and the Merchants of Bristol, who denied to attend his Lordship ten Weeks together, to be discharged ; and yet Bonds were exacted from the Merchants of Bristol for the Payment thereof after the Lord Treasurer was acquainted with the said Order in the Exchequer, even till the Summons of Parliament ; for which Mr. Sergeant Crew charged the Lord Treasurer with Oppression and Extortion, contrary to his Lordship’s Oath To do Right to the Poor and Rich in such Things concern his Office.’

‘ Then the Clerk read the Proofs, viz.

*The Examination of JOHN GUY and JOHN BAKER, taken the 21st of April, 1624.*

The said Examinants say, ‘ That in the Time of the Lord Treasurer Salisbury, a Reference was made by his Lordship to the Lord Chief Baron and Baron Snigg, touching a Composition they demanded of the Merchants of Bristol, for Purveyance for Wines and Grocery ; and, upon demand,

‘ liberat-

' liberate Hearing, the Officers of the Household An. 22. James I.  
 ' being present, it was then resolved, That they 1624.  
 ' should not be pressed to those Compositions, but  
 ' should submit to Purveyance when his Majesty  
 ' or the Queen came within twenty Miles of that  
 ' City ; and accordingly, at Queen Anne's being  
 ' at the Bath, they did submit to Purveyance, to the  
 ' Charge of 800 l. yet, in November was Twelve-  
 ' Months, upon a Warrant from the Lord Treas-  
 ' surer, they were pressed to pay Composition for  
 ' Grocery, after the Rate as was paid at London ;  
 ' and were forced to enter Bonds for Payment or  
 ' discharging by a Day : That hereupon this Exa-  
 ' minant, John Guy, attended the Lord Treasurer  
 ' to be freed, and shewed him the Proceedings  
 ' before mentioned ; but could get no other Re-  
 ' lief but a Letter, of which he now delivered a  
 ' Copy to the Lords Committees, which Copy  
 ' this Examinant had from his Lordship's Secretary ;  
 ' ever since which Time the Officers have pressed  
 ' the Merchants to enter Bonds, till about the Be-  
 ' ginning of the Parliament : But, since that Time,  
 ' the Officers have accepted the Merchants Words.  
 ' And saith, That the Copy of the Lord Treasu-  
 ' rer's Warrant, or Letter, dated the 20th of No-  
 ' vember, 1622, is a true Copy of the Letter  
 ' which came to the Port of Bristol, and is now in  
 ' the Hands of the Lords Committees ; and since  
 ' that, they have attended ten Weeks at one Time,  
 ' and have had Agents for the City of Bristol three  
 ' Times, and have spent above 100 l. in Charges,  
 ' to be eased of this Burthen. And they further  
 ' say, They never paid any Composition for Wines  
 ' or Groceries, untill the Lord Treasurer's War-  
 ' rant.

JOHN GUY.  
JOHN BARKER.

H. Mandeville.  
H. Southampton.

Theo. Howard.

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An. 22. James I. *The Information of JOHN CHAPPELL, taken upon  
1624. Oath the 29th of April, 1624.*

‘ That in the Custom-House of the Port of	
‘ Exeter, there hath been collected, for the Com-	
‘ position Money of Grocery, of and from every	
‘ Merchant which hath made any Entry in the said	
‘ Custom-House, since the 24th of November,	
‘ 1622, by Warrant under the Hand and Seal of	
‘ the Lord High Treasurer of <i>England</i> , of the	
‘ Goods following, these several Rates,	
‘ Pepper, Cloves, Mace, Nutmegs, Cinnamon,	
‘ the C. Wt. —————	xvij d.
‘ Ginger the C. —————	xij d.
‘ Raisins of the Sun, the C. —————	iij d.
‘ Prunes, the Tun —————	xvi d.
‘ Sugar, in Loaves —————	vi d.
‘ Almonds, the C. —————	vi d.
‘ Currants, the Tun —————	ij s.
‘ Oil, the Pipe —————	ijij s.
‘ Coarse Sugar, the C. —————	iij d.
‘ Figs, the Barrel —————	i d.
‘ Figs, the Piece —————	iij $\frac{1}{2}$ d.
‘ Figs, the Tapnet —————	ob.
‘ Raisins, <i>Malaga</i> , the Piece —————	i d. ob.
‘ Dates, the C. —————	vij d.
‘ Rice the C. —————	iiij d. ob.
‘ Sugars, Powders, Whites, and Muscavadoes	xx d.
‘ Olives, the Tun —————	iiij d.
‘ Castile, Venice, and other Kinds of Cake Soap,	
‘ the C. —————	vi d.
‘ Anniseeds, the C. —————	ij d.
‘ Sugar refined, the C. —————	vij d.
‘ Liquorice, the C. —————	ij d.
‘ The Merchants Entries in the Custom House,	
‘ for any of these Goods, could not be allowed be-	
‘ fore they had compounded with the Assigns of	
‘ Mr Abraham Jacob, to pay the said Composition	
‘ Money, specified in these several Rates.	

JOHN CHAPPEL,

*H. Mandeville.*

*Ro. Spencer.*

*H. Southampton.*

‘ Then

‘ Then were read, the Lord Treasurer’s general Warrants to *Abraham Jacob*, to levy the said Composition, and not to suffer any Goods to be landed, &c. in *London*, and the Out-Ports, untill the said Composition be first duly satisfied, and paid as hath been accustomed :’

‘ The Copy of the Lord Treasurer’s Letter to the Customers of *Bristol*, reciting a Composition for *Grocery*, and that heretofore divers Letters and Warrants have been sent to *Bristol*, and all other Ports, for the Collection thereof by the late Lord Treasurer *Dorset*; and commanding that no Goods be permitted to be landed, &c. untill the said Composition be paid, and to be aiding for the due Collection thereof, according to the said Letter, dated the 20th of *November*, 1622 :’

‘ The Copy of the Treasurer’s Letter to the Customers of *Bristol*, dated *February 24th 1622*. Wherein his Lordship takes Notice of an Agreement made between the late Lord Treasurer *Salisbury* and them of *Bristol*, touching the Composition for *Spices*; and requires the Officers to accept of the Merchants Bonds, with Sureties for the Payment thereof, untill he had fully considered of the said Agreement :’ Also

‘ The Relation of *Thomas Griar* upon Oath, That this Composition is demanded and paid in *Weymouth*, and their Goods not suffered to be landed untill it be paid ;’ And

‘ The Lord Treasurer’s Warrant to *Poole*, for the Collection of the said Composition, dated the 24th of *April, 1622*.’

The Lord Treasurer answered, That herein be did but his Duty; and that if he had neglected it, he had not done his Duty: That he required nothing to be done, by his Warrants, but what was accustomed in Queen Elizabeth’s Time, and in all the King’s Time: That his Warrants were according to the usual Form, and general to all the Ports, notwithstanding that Bristol was exempted by the Order in Lord Treasurer Salisbury’s Time, untowards: That when he knew of it, he yield

An. 22.  
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The Lord Treasurer’s Answer thereto.

An. 22. James I. 1624. Request, and Guy went away well satisfied with his Answer: And that none had Benefit by the Composition, but the King only.

‘ The Clerk read the Examinations taken on his Lordship’s Behalf, viz.

*The Examination of Sir SIMON HARVEY.*

‘ That Composition for *Grocery* was usually collected in all the Out-Ports (save *Exeter* and *Bristol*) in the Lord of *Dorset*’s Time; and that himself received the same for four or five Years; and that they were but for petty Things, for the most part Things brought in by way of Reprisal, in the Time of Queen *Elizabeth*. That Mr. *Jacob* was appointed to levy the same for the King. That the Citizens of *Bristol* did acquaint the Lord Treasurer with the Order to exempt them from Composition, and the Lord Treasurer sent this Examinant to treat with them to yield to Composition, which they denied: Whereupon the Lord Treasurer answered, *Let them stand to the Earl of Salisbury’s Order*; other Discharge he gave them none: And this Examinant thought they went away well satisfied, for they heard what the Lord Treasurer said.’

*The Examination of JOHN CLARKE.*

‘ That Mr. *Jacob* was appointed to levy the same Composition, by Warrant from the Lord Treasurer; the Ground whereof was, because the receiving thereof was taken away from *Thomas Barret*, the King’s Grocer, who had given 1200 l. And that those Duties had been duly levied in some of the Out-Ports, but *Exeter* and *Bristol* stood out; he hath not known any of those Duties taken since the Queen was at the *Bath*; and that there is a Table in the Custom-House of *London*, to shew the Composition for *London*.’

‘ Mr. Sergeant *Crew* replied, That there is no Table in the Custom-House, to shew any Composition

**G**rievance for the Out-Ports; and caused the Clerk to <sup>An. 22. James I.</sup> read the Examination of *John Guy*, on the Part of <sup>1624.</sup> the Lord Treasurer, taken *May 1st, 1624*, which agrees, in effect, with his former Examination, taken for the King; and that after he, and others of *Bristol*, had long petitioned the Lord Treasurer to have their Bond cancelled and delivered, which they had entered for the Payment of the said Composition, they could not obtain any Thing, save some good Hopes and fair Words from Sir *Simon Harvey*; and that their Bonds are yet detained.'

The Lord Treasurer affirmed to the Lords, That himself knew this Composition to be paid by the Out-Ports, and that his Warrant was only to levy the same, as formerly it had been paid; and promised to send Barret's Books and some Notes out of the Compting-House, to prove the Payments thereof heretofore by the Out Ports. Then the Lord Treasurer was withdrawn.

Ordered to be here again at the Bar at Two this Afternoon, and agreed to have a Stool whilst the Charge is in giving.'

*Post Meridiem.* 'The Lord Treasurer being brought to the Bar (in manner as before, and a Stool set for his Lordship,) He informed the House, That, (according to his Promise this Morning,) Barret is come with Account touching the Grocery paid at Bristol; and it was agreed that they should be brought to the King's Council, to be perused.'

M Attorney General proceeded to the Charge concerning the Office of the Ordnance, and the unlawful Bargain for Sir Roger Dallison's Lands, in this Manner, viz.

'That another Charge whereof the Lord Treasurer is accused, is concerning the Office of Ordnance, to unlawful bargaining for Sir Roger Dallison's Lands.  
and the unlawful Bargain for Dallison's Lands; in which will appear that the Lord Treasurer, for his own private Benefit, contrived and prosecuted divers unlawful Bargains; and in the mean Time neglected wholly that which concerned the Public, which was the furnishing the Office of Ordnance

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An. 22. James I. with Emptions and Stores, for the Safety of the  
1624. King and his Kingdoms.'

' Concerning the Bargains, it stands proved, That Sir *Roger Dallison*, being Lieutenant of the Ordnance, became indebted to the King in 9962 l. for Monie, impressed for that Office, but not employed: And that Sir *Roger Dallison* and Sir *Thomas Mounson* were indebted to the King by Bonds to the Value of 3100 l. which Bonds were forfeited for not bringing certain Stores to that Office; both which Debts amounted to 13,062. and the Lands of *Dallison* were extended for 9962 l. and the Lands of *Mounson* for 3100 l. And that July 20, 18 Jac. the King assign'd these Extents to *Francis Morrice*, Clerk of the Ordnance, and others in Trust for the Officers and Creditors of that Office, towards Satisfaction of so much of their Debts.'

' The Lord Treasurer, being a Commissioner for his Majesty's Debts, July 28th, 1621, 19 Jac. bargained for those Extents; and by the Articles under his Hand agreed to give for them 1062 l. in Hand, and 12,000 l. more by 1000 l. per Annum, for twelve Years, beginning at *Lady-Day*, 1623; and also to do his Endeavour to procure Payment of an Arrear of 8000 l. more, due to that Office from his Majesty: But, before this Bargain was performed, at *Michaelmas* following, he became Lord Treasurer; and when they expected Payment of the 1062 l. and Security for the rest, he propounded that, in lieu of the 12,000 l. to be secured, they should have his Part in the Farms of the Petty Customs for nine Years, valued to be worth 1000 l. per Annum, for the two first Years, and afterwards 1400 l. per Annum, which, according to that Rate, would yield in nine Years 14,800 l. but cost his Lordship only 3750 l.'

' He being then Lord Treasurer, on whom they must depend both for the Payment of the Arrears, and for future Favours, they accepted it; not meaning to lose their 1062 l. payable in Hand, but it was

was then again directly agreed they should be paid their 8000 l. Arrear out of his Majesty's Coffers.

An. 12. James I.  
1614.

‘ In February 1611, Assurances were prepared, and the Creditors required to seal, being promised to have at the Sealing their 8000 l. Arrears, and expecting their 1062 l. from the Lord Treasurer, whereof they never conceived a Doubt ; but so soon as they had sealed, they were sent away without any Money, being promised to receive their 8000 l. within three or four Days after, which was not performed in so short a Time ; but was, after, paid in divers several Payments out of his Majesty's Money : But the 1062 l. which was to have come from himself was absolutely denied, the Lord Treasurer affirming, that as well that 1062 l. as the other 12,000 l. was all concluded and recompensed by the Interest in the Petty Farms ; whereupon a new Difference grew against them. But in the end they were enforced, in lieu of that 1062 l. to accept of a further Interest, which his Lordship had in the Petty Farms, for an Half-year after the nine Years were expired, esteemed worth not above 400 l. to be sold : And it was then further agreed, that his Lordship should then pay them out of the King's Money 4000 l. due to the Office over and besides the former 8000 l. of which 4000 l. his Lordship hath since caused to be paid 3303 l.’

‘ But whereas the Petty Customs were valued to them to be worth for the first two Years 1000 l. *Per Annum*, it appeareth that, in the two first Years, it yielded them but 1419 l. 17 s. 7 d. being all the Money that grew due to them out of the Profits of those Farms at Michaelmas last ; whereas if they had kept their Extents of Dallison's and Mounson's Lands, they should have received by Lady-Day last almost 7000 l. for Part of their Debt.’

‘ In which Bargain, (besides the Oppressions and Extremities put on the poor Creditors and Officers of the Ordnance, that might ill undergo a Bargain of so much Disadvantage and Loss,) are observed two Corruptions ; the one, in bargaining to pay the 8000 l. Arrears, for though that was agreed before

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An. 22. James 1.  
1624. before he was Lord Treasurer, yet he then was trusted as a Commissioner for the King's Debts; and, being after Lord Treasurer, perform'd that corrupt Agreement made before.'

' The other Corruption was, in agreeing to pay the other 4000 l. for as it is a Corruption in a Treasurer to pay the King's due Debt for Money given unto himself; so it is to pay the King's Debt, for gaining to himself a Bargain by which he either had or did expect Advantage; and tho' the Lord Treasurer, in his Answer, doth pretend he is a Loser by *Dallison's* Lands, it is certain that whatsoever his Gain or Loss prove upon the other Bargains for the Inheritance of the Lands, this Bargain with the Officers, taken by itself alone, was beneficial; and if it were not, it is all one: For if a Judge, or Treasurer, bargain for a Bribe, though he never receive it, he is corrupt; for it skills not what he had, but what he aimed at and expected.'

' About the same Time that the Lord Treasurer bargained for the Extent aforementioned, viz. 28 July, 19 Jac. he contracted with Sir *Thomas Mounson*, for the Inheritance of the same Lands.'

' For Sir *Roger Dallison*, after he became Lieutenant of the Ordnance, conveyed the Inheritance of his Lands to secure Sir *Thomas Mounson* of divers great Debts and Engagements; so as the Inheritance of those Lands, after the King's Extent, was in the Dispose of Sir *Thomas Mounson*, who bargained for it with the now Lord Treasurer; and upon that Bargain, the Lord Treasurer agreed to free Sir *Thomas Mounson's* own Lands of the 3000 l. Debt, to pay in 3000 l. in Money, and to procure the making of him six Baronets and some other fit Suit from the King; and when the Baronets could not be obtained, the Number being full then, the Lord Treasurer procured him another Suit of 2000 l. Value, as his Lordship esteemed it, viz. For compounding with the King's Copyholders of *Wakefield*, to reduce their Fines to Certainty, for which Suit the Lord Treasurer was a Referee from the King; and, for Accomplishment of this Bargain, made

made for his own private Gain, he gave way to An. 22. James I.  
that Suit whereby so much was to be taken for his 1624.  
Majesty: Yet there rested another Bargain to be  
made, for Sir *Thomas Dallison*, the Son and Heir of  
Sir *Roger Dallison*, pretended Title to those Lands  
by an old Entail; and the Lady *Dallison*, Widow  
of Sir *Roger Dallison*, claimed to have the third as  
her Dower; and the Lord Treasurer having entered  
into Treaty with them, and finding their Demand  
not suitable to his Desires, he, to make them the  
more compliant, threatens them, by his Extent, to  
keep them without any thing for an hundred Years;  
to lay upon Sir *Thomas Dallison* certain forfeited  
Bonds, which, upon the Agreement with the Offi-  
cers of the Ordnance, were transferred to him;  
and he sends for Sir *John Wolstenholme*, whose Son  
had married Sir *Thomas Dallison*'s Sister, and re-  
bukes him as an Hinderer of his Lordship's Pro-  
ceedings with *Dallison*: And by these and other like  
Means, for an Annuity of 200 l. *per Annum*, pro-  
cures a Release of their Title; and whereas Sir  
*Roger Dallison*, being possessed of a Lease of great  
Value, had assign'd the same to Sir *John Davis*,  
for Security of Money owing to him and Sir *Ri-  
chard Smith*, which Lease, for Non-payment, had  
been long forfeited, and the Possession gotten by  
Sir *John Davis* upon a Trial and Recovery at  
Common Law, which Possession had continued  
divers Years; the Lord Treasurer, by this Agree-  
ment with Sir *Thomas Dallison* and his Mother, by  
way of unlawful Maintenance and Champarty,  
bought their Title to this Lease; and having hedged  
in those Lands and the Title to this Lease, ex-  
changed the same with Sir *Arthur Ingram* for other  
Lands; and then to gain the Possession of those  
Lease-Lands from Sir *John Davis* and Sir *Richard  
Smith*, and to make good this Exchange, an old  
Outlawry against Sir *Roger Dallison*, before the Af-  
fignment made by him to Sir *John Davis*, is sought  
out, the Debt being many Years past satisfied; by  
colour of which Outlawry and the Power and  
Countenance of the Lord Treasurer, this Lease was  
seized

An. 22. James 1. seized into the King's Hands, and Sir Richard Smith  
1624. and Sir John Davis thrust out of Possession ; whereupon they endeavoured to reverse the Outlawry in the Common Pleas, and the better to effect it, they procured an Administration of the Goods of Sir Roger Dallison to be taken by one Camben a Creditor of Sir Roger's, to the intent the said Administrator might sue to reverse this Outlawry ; but the Lord Treasurer to prevent them therein, interposeth in the King's Name, and in his Majesty's Behalf, to revoke that Administration ; and the better to countenance the Business, sends a Case to the King's Attorney grounded upon other Matters, without mentioning the Outlawry, which was the chief Thing in question ; and having obtain'd his Opinion in that Case, sends a Warrant to the King's Advocate, to proceed in the Ecclesiastical Court as for the King ; and in a Matter much touching the King, to proceed for Reversal of the Administration ; and in the end, by his Means, the Administration was revoked ; and afterwards, the Matter coming in question in the Common Pleas, there also he interposed himself ; and sent to the Judges of that Court, whereby Sir Richard Smith and Sir John Davis were at last enforced to accept of a Composition : Now, in Truth, this Matter no ways concerned the King, for this Lease was never extended for Dallison's Debt ; and before the Lord Treasurer interposed in the Ecclesiastical Court, he had caused a Petition to be made in the Name of Sir Thomas Dallison and his Mother to the King ; and a Reference thereupon to himself for this Lease, among other Things ; it being secretly agreed between him and Dallison, that the whole Benefit of this Lease, when his Majesty should be pleased to pass it, should be at the Disposal of the Lord Treasurer.'

' And whereas the Lord Treasurer would excuse those Proceedings, as being after he had transferred all to Sir Arthur Ingram : It is evident that the Lord Treasurer thus interposed ; which must be either for his own Benefit, to support his own Bargain,  
or

or meerly by way of Maintenance; and, either <sup>An. 22. James I.</sup> Way, his Doings are most unwarrantable, to use <sup>1624.</sup> such Rigour in the King's Name, either for himself or Sir Arthur Ingram.'

\* Mr. Attorney having thus opened the former Part of this Charge, the Clerk, by his Directions, read the Proofs, *viz.*

\* The Copy of that Agreement, made the 28th of July, 1621, between the Lord Cranfield and the Officers of the Ordnance, delivered upon Oath by Francis Morrice, the 3d of April, 1624; whereby the Lord Treasurer doth promise and agree with the Officers of the Ordnance, so soon as he may conveniently, to do his best Endeavour to procure from his Majesty a certain Assignment and Order for the Payment of the Sum of 8000 l. unto the Lieutenant of the Ordnance, or his Deputy, to the Use of the said Officers, before the last Day of November next, towards the Payment of such Sums as are due, over and above the Sum of 13,062 l. for Payment whereof the said Officers have the Leases of the Lands of Sir Roger Dallison and Sir Thomas Moun-

*The Proofs  
thereof.*

Note, That this Agreement also proves the Bargain made by the said Lord Cranfield, with the Officers of the Ordnance, for the said Leases of the Extents, in Manner as it is cited by Mr. Attorney.

\* And the Examination of Francis Morrice, Clerk of the Ordnance, taken the said third Day of April, which affirms the said Bargain made by the said Lord Cranfield; and that the said Lord Cranfield becoming Treasurer, the Payment on his part did not proceed; but his Lordship, upon a new Agreement, did assign to the said Officers certain Leases, which were far over-valued unto them by his Lordship; and that his Lordship did not procure the said Assignment of 8000 l. according to his Agreement, but hath since given Satisfaction of the said 8000 l. and more, in several Payments out of his Majesty's Receipt.'

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James I.  
4.

‘ And then was read the Deposition of Lewis Tate, containing a brief Relation of the Lord Treasurer’s Dealings with certain Petitioners to his Majesty, for Debts owing to him in the Office of Ordinance; whereby it is also prov’d, That the said Treasurer was then a Commissioner for the King’s Debts, and did wish the said Officers to accept of the said Leases of Sir Roger Dallison’s and Sir Thomas Mounson’s Lands, &c. and sets out the whole Proceedings of the Lord Treasurer therein at large. And the Examination of John Fletcher, touching the said Agreement made by the Lord Cranfield, and the Promise to procure the said 8000 l. &c.’

The Lord Treasurer’s Answer. ‘ And more Proofs offering to be read, the Lord Treasurer said, It is true that he, being a Commissioner for the King’s Debts, did advise the said Officers of the Ordnance to accept of a Lease of the Lands of Sir Roger Dallison and Sir Thomas Mounson, extended for the King for 13,062 l. viz.

Of Sir Roger Dallison’s Lands, extended for 9962 l. and of Sir Thomas Mounson’s Lands for 3100 l. and they did accept of them for Payment of 13,062 l. due to them by the King, with a Covenant to resort to the King, if they were interrupted in the Possession of those Lands.

And that he did then find, that there was due unto the said Officers, by the King, about 20,000 l. That the said Lands of Sir Thomas Mounson were extended but at 200 l. per Annum, Sir Thomas Mounson hoping to have had the Benefit thereof for himself But, by Sir Edward Coke’s Rule, it was passed over the Creditors. That Sir Thomas Mounson after petitioned the King, and his Majesty referred Sir Thomas Mounson to the Lord President and him: That they treated with the Officers, who answered, that Sir Roger Dallison’s Lands were so much encumbered, that they would yield little; yet the Exchequer Chamber would have relieved Sir Thomas Mounson, if he had paid the Debt for which the Lands

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Lands were extended; and then the Officers must have resort'd to the King for Recompence: And that if his Lordship gained in that Covenant, by his Bargain with the said Officers, so it was beneficial to his Majesty. And his Promise to the Officers to help them to their 8000 l. Arrear, being a just Debt, was before he was Treasurer; and that it is Heathen-Greek to him, how this should be prejudicial to the King.

To this Mr. Attorney replied, and affirmed the Mr. Attorney re-  
Bargains to be unlawful as before; and that there <sup>plies and produces</sup> further Proofs.  
was not 8000 l. Arrear due by the King before his  
Lordship was Treasurer; and then proceeded to the  
reading of the other Proofs.

To prove that, about July 1621, his Lordship contracted with Sir Thomas Mounson for his Lands for 3000 l. which was paid him, for the making of six Baronets, and a Suit to the King; and, in lieu of the Baronets, a Suit touching the Copy-holders of Wakefield, valued by his Lordship at 2000 l. were read,

*'I. The Examination of Sir Thomas Mounson,  
taken the 5th of April, 1624.'*

*2. The Examination of Sir Arthur Ingram,  
taken the 12th of April, 1624.*

‘ For the 3000 l. and that he signified unto Sir Thomas Mounson, that the Lord Treasurer would undertake to procure him the Making of six Baronets ; for that the Lord Treasurer had told him, he found the King inclinable to do Sir Thomas Mounson good.’

‘ 3. The Copy of Sir Thomas Mounson’s Petition to the King, for reducing the Fines of the Copy-holders of *Wakefield* to a Certainty, in lieu of some Baronets formerly granted him; and the Warrant thereupon, signed by the Lord Treasurer and Sir Humphry May, (to whom it was referred) delivered upon the Oath of Mr. Brewster, the 16th of April, 1624, was also read.’

*‘ And the Examination of Sir Humphry May,  
Knight, Chancellor of the Duchy of Lancaster,*

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An. 12. James I. taken the 4th of May, 1624, *ex Parte Domini Thesaurarii*, That he was present when Sir Arthur Ingram did, on the Lord Treasurer's Behalf, bargain with Sir Thomas Mounson for his Lands; which Bargain was, That the Lord Treasurer should give Sir Thomas Mounson 3000 l. should procure him the Making of six Baronets, and should extend Dallison's Lands unto him at 1200 l. per Annum; and afterwards, the Baronets being otherwise disposed of by the King, Sir Thomas Mounson petitioned the King touching the Copyholders of Wakefield.

‘ Unto which the Lord Treasurer answered, That he never promised the Making of the Baronets, nor authorized Sir Arthur Ingram to propound it.’

‘ Then was read, to prove the Lord Treasurer pressed Sir Thomas Dallison to part with his Estate at Undervalue:

‘ 1. The Examination of Sir Thomas Dallison, Bart. taken the 6th of April, 1624.’

‘ 2. The Examination of the said Sir Thomas Dallison, taken the 12th of April, 1624.’

‘ 3. The Examination of Sir John Wolstenholme, taken the 16th of April, 1624.’

‘ And to prove that the Lord Treasurer, having made these Compositions, sets on foot an old Outlawry of Sir Roger Dallison, long since satisfied, thereby to wrest a Lease of great Value from Sir Richard Smith and Sir John Davis, interposing the Power of his Place, and the Countenance of the King's Service, to oppress them for his own private Ends, these Examinations were read, viz.

‘ 1. The Examination of Sir Thomas Dallison.’

‘ 2. The Examination of Sir Arthur Ingram, *ex Parte Domini Thesaurarii*, taken the 7th of May, 1624, to the 7th Interrogatory.’

‘ 3. The Examination of Sir Richard Smith, taken the 16th of April, 1624.’

‘ 4. The Examination of Robert Easton, taken the 27th of April, 1624.’

‘ 5. The Case brought to Mr. Attorney, by Mr. Moyle, with his Direction.’

Me-

*Memorandum, That, in that Case, no Mention* An. 22. James I.  
 is made of any Outlawry ; but that the King 1614.  
 was unsatisfied of *Dallison's Charge.*

• 6. The Lord Treasurer's Letter to Dr. Ryves,  
 the King's Advocate, to revoke the Letters of  
 Administration of *Dallison's Goods.*

• These being read, the Lord Treasurer again  
 affirmed, *That his Bargain with the Officers of the  
 Ordnance was beneficial for the King, for it gained  
 in his Majesty's Covenant of Resort from the Offi-  
 cers.* And said further, *That it was not prejudicial  
 to the Officers; for if his second Bargain be not as  
 beneficial to them as the first should have been, he is  
 to make it good.*

*And that Sir Thomas Dallison, and his Lady  
 Mother have Relief thereby, and himself a great  
 Loser, at least 4000 l. having taken up 16,000 l.  
 for it, for which he pays Interest at this Day.*

And his Lordship denied, *That he drew the Case,* The Lord Treas-  
*delivered to Mr. Attorney, touching the Administra-  
 tion of Dallison's Goods;* and said, *He deserved to  
 be hang'd that drew it.* And, having spoken as  
 much as he could, the Clerk read the Heads of the  
 Examinations taken on his Part; and Mr. Attor-  
 ney confessed them, and avoided them all; where-  
 with his Lordship seemed to rest satisfied, for he  
 did not require any Thing else to be read: But said  
 further, *That he had paid Arrears to the Officers of  
 the Navy, as well as those of the Ordnance; which  
 shows he did not pay them by way of a Bargain  
 only.* And then saying, *He would add no more, he  
 was withdrawn.*

• Then it was agreed that Mr. Attorney should  
 begin To-morrow, where he now left, with the  
 rest of the Charge; and that the Lord Treasurer  
 be warn'd to appear here again at the Bar To-  
 morrow Morning at Nine of the Clock.

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An. 22. James I. May 11. A Petition of the Lord Treasurer was  
1624. read, *in hac Verba*:

To the Most Honourable Assembly of the Lords Spiritual and Temporal, in the High House of Parliament assembled.

His Petition for  
further Time, on  
account of Sick-  
ness.

*With most humble and thankful Acknowledgement  
of your Lordships honourable Patience, in hear-  
ing those Parts of my Cause which are already open'd,  
I am now most humbly to beseech your Pardon of mine  
Appearance before your Lordships this Day; finding  
myself so distemper'd in my Body, and my Spirits so  
weaken'd and spent, as, out of Necessity, enforceth  
me to be an humble Petitioner unto your Lordships for  
this little Respite of Time; my End and Desire here-  
in being to enable myself to obey all your Commands,  
and to hasten the End of this Cause of mine; where-  
of I doubt not but your Lordships, in a true and no-  
ble Sense of my Cause, will honorably consider ac-  
cordingly.*

### MIDDLESEX.

A Committee of appointed the Earl of Southampton, the Earl of Essex,  
Lords appointed  
to visit him. the Bishop of Coventry and Litchfield, the Bishop of Bangor, Lord Cromwell, Lord Say and Seale, to go presently to the Lord Treasurer's House, and to take a Physician with them; and to signify to his Lordship the Displeasure of the House, for that he hath first taken Leave of himself to be absent, and now craves Pardon for it; whereas his Lordship ought first to have craved Leave to be absent. And also to signify unto his Lordship, (unless they shall see Cause to the contrary by reason of his Sicknes) that the Pleasure of the House is, That his Lordship appear here this Afternoon, at Two of the Clock; and that if his Lordship shall fail to come accordingly, that the House will proceed, as well touching such Parts of his Charge as are already open'd, as for the rest of his Charge also.'

¶ These

‘ These Lords being return’d from *Chelsea*, where the Lord Treasurer then lay, the Earl of Southampton reported, That they delivered the said Message unto his Lordship, whom they found in his Bed, but not sick, for ought their Lordships or the Physician could perceive; neither did his Lordship pretend any Sickness. And their Lordships having delivered their Message unto him, he excused his not asking of Leave first to be absent; *for that he had not Warning to be here this Morning untill after the House was risen the last Night; and since the Pleasure of the House is such, he will attend this Afternoon, if he hears not, by some Message from their Lordships, that they will be pleased to respite him till To-morrow Morning.*

AN. 22. James I.  
1624.

‘ And the Earl of Essex made this further Report, viz. Having this Day delivered to the Lord Treasurer the Message we were commanded by the House, his Lordship (besides the Answer that hath been returned to the House) did let fall these Speeches in Substance; *For a Man to be thus followed, Morning and Afternoon, standing eight Hours at the Bar, till some of the Lords might see him ready to fall down; two Lawyers against him, and no Man of his Part, was such Proceedings as never were heard of; and he knew not what it meant, for it was unchristian-like and without Example; and desired they would deal with him as he would deal with one of them; for it was his Case To day, and might be theirs To-morrow.* This Answer was signed by these Lords, viz.

<i>H. Southampton.</i>	<i>Lewis Bangor.</i>
<i>Ro. Essex.</i>	<i>Ibo. Cromwell.</i>
<i>Tho. Cov &amp; Litch.</i>	<i>W. Say &amp; Seale.</i>

‘ *Post Meridiem.* The Lord Treasurer being brought to the Bar (as before) the Clerk read that Part of the Charge against his Lordship that concern’d the

### M U N I T I O N S.

‘ The Lord Keeper moved that Mr. Attorney ~~and~~ <sup>be as to</sup> do keep himself to that Charge.’

M

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An. 22. James I.  
1624. • Mr. Attorney proceeded in this Manner, viz.

• As in the Bargains and Proceedings (which were opened Yesterday) the Lord Treasurer was over much attentive to his own private Profit, so in the Supply of the Office of Ordnance (a Matter of high Importance for the Safety of the King and his Kingdoms, and in a Time when all *Christendom* besides ourselves was in a Combustion,) he was wholly remiss: For whereas, by a Privy-Seal in 6 Jac. there was a private Establishment of 6000 l. *per Annum*, for the Office of Ordnance, which being put out of Order in the Time of Sir Roger *Dallison*, about 12 Jac. the Lords of the Council, in November 1617, upon Reference from the King, set down a Proportion of Supply, amounting to 54,078 l. 8 s. 8 d. and the standing Allowance of 6000 l. *per Annum* to continue. And after in February 1619, there being a Commission awarded to the Commissioners of the Navy, to survey the Office of Ordnance, the said Commissioners (the Lord Treasurer himself being a chief Man among them) set down a Proportion of Supply amounting to but 13,640 l. 14 s. 2 d. and a yearly Allowance of 3000 l. retrenching it to that Rate from 6000 l. and did set down a Course till this being observ'd, a needless Charge of about 10,000 l. *per Annum*, should be cut off, and this was allowed both by the Lords and by the King himself.'

• The Earl of Middlesex becoming Treasurer about Michaelmas 1621, and having continued in that Office about two Years and a Half, did observe none of these Establishments; whereby the Office is at this present both unrepaired and unsupplyed, and the Kingdom of Ireland destitute of any considerable Quantity of Arms and Munition: For it appears by the Records of the King's Receipt, That all the Monies which the Lord Treasurer in his Time issued for a Supply of the Ordinary of the Office of Ordnance, was but 13,034 l. 8 s. 11 d. of which 8*xxi* l. and odd Pounds was for old Arrears, 3300 l. more grew due of latter Time, but were paid, not out of Duty, or Care of the Publick,

lic, but by Bargain and Contract: And most of these Monies issued (besides old Arrears) were for Wages and Allowances of Officers, and little or nothing for Stores and Provisions. For upon the Quarter-Books paid by his Lordship, beginning at the Quarter-Book ended *ultimo Junii* 1620, unto the Quarter-Book ended *ultimo Decembris* 1622, there being about 5500 l. paid 4600 l. and odd thereof went to the Officers, but the Stores and Provisions amounted to but 900 l. and odd Pounds: *A weak Supply in so long Time.*

• And whereas in *April 1621*, a Contract was made with Mr. Evelyn, for serving his Majesty with 80 Lasts of Powder yearly, by monthly Proportion, at 7 d. the Pound, which Proportion being kept would have yielded a plentiful Supply into the Office of Ordnance, and the Overplus might have been sold at 3 d. the Pound Profit to his Majesty. The Lord Treasurer (tho' he was continually solicited by Evelyn) did not make the Payment, which should have been made upon that Contract; whereby Evelyn, according to the Liberty that was allow'd by his Contract, sold his Powder to others; and, in thirty-five Months after that Contract, served into the Stores but fifteen Months Proportion; and upon Breach of this Contract did ensue these Inconveniences, *viz.*

• That the Stores which, for the Service of all his Majesty's Kingdoms, might have had in Readiness 266 Lasts of Powder, and 60 Lasts of Salt-Petre, which would have really made 80 Lasts of Powder more. (in all 346 Lasts) are greatly injured by this Neglect: For, upon a late Survey, there were in all but 130 Lasts in the Stores, and yet Ireland wholly disfurnished: And besides, his Majesty, by Sale of the Overplus of the Powder alone (above the Proportion thought fit to be kept by the Commissioners of the Navy) might have gain'd 3 d. in every Pound, which would have amounted to 4050 l. and above, all which his Majesty lost by this Default of the Lord Treasurer. And whereas his Lordship excuseth these Things

by

An. 22. James I.  
1624.

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An. 22. James I. by pretence of *Sadler's Complaints*, it appeareth  
1624. that those Complaints grew by occasion of *Evelyn's*  
selling of Powder to others, not to the King; which had never been if he had had due Payment: And the Lord Treasurer was warned, both by the Lord *Crew* and by the Commissioners of the Navy, to have special Care of these Points, to save the Contract, it being of high Consequence.'

' Then the Clerk read the Proofs, *viz.*

Proofs thereof. ' To prove that the King granted a dormant Privy-Seal May 28th, 6 Jac. for the issuing 6000 l. per An. for the Office of the Ordnance were read,

' The Copy of the said Privy-Seal, to prove that this Allowance was paid until April 1st, 1614, and about that Time the Office was put out of Order by Sir Roger *Dallison*, and he grew into great Arrears to the King.'

' A Declaration (by the Officers of the Ordnance deliver'd upon Oath April 6, 1624,) of the Cause of the present Weakness of the Stores of his Maj sty's Office of the Ordnance.'

' To prove that in November 1617, the Lords, upon a Reference from the King, did set down a Proportion of Supply amounting to 54,078 l. 8 s. 8 d. was read the said Declaration of the Officers of the Ordnance.'

' To prove that in February 1619, the King granted a Commission unto the Commissioners of the Navy, to survey the Office of the Ordnance, and that in July 1620, the Commissioners of the Navy (the Lord Treasurer being one) return'd a Certificate for Supply of the said Office with 13,640 l. 14 s. 2 d. and to retrench the Ordinary from 6000 l. to 3000 l. per Annum, to cut off some needless Charges, amounting to 10,000 l. per Annum: And that this was allow'd by the King, and the Lords, was read,

' The Deposition of Mr. *John Cooke*, the 5th of April, 1624.

' To prove that in October 1621, the Earl of Middlesex became Lord Treasurer, and that in two Years

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Years and a Half he pursued none of these Establishments, was read,

‘ The said Declaration of the Officers of the Ordnance, and the said Depositions of the said Mr. John Cooke.’

‘ To prove that, by this Means, the said Office is both unrepaired and unsupplied, and *Ireland* hath not any fit Proportion of Munition, was read,

‘ The said Declaration of the Officers of the Ordnance, and the said Depositions of the said Mr. John Cooke, as touching the Office of the Ordnance:’

‘ And the Abstract or Estimate of all the Armour, Arms, Powder, Lead, and Hand-Weapons, remaining in the several Store-Houses within the Realm of *Ireland*, the 1st of March 1623, deliver’d upon Oath by the Lord Cranfield.’

‘ To prove that in April 1621, a Contract was made with *John Evelyn*, to serve 80 Lasts of Powder yearly, at 7 d. the Pound, and that this Contract hath been broken in the Lord Treasurer’s Default, whereby there was 216 Lasts of Powder less in Store than would have been, and the King hath lost 4050 l. in the Sale of 80 Lasts of Powder which he might have sold, if that Contract had been observed at 10 d. the Pound, the King paying but 7 d. and that the Lord Treasurer was warned thereof, were read,

‘ The said Depositions of Mr. Cooke:’

‘ The said Declaration of the Officers of the Ordnance:’

‘ The Examination of *John Evelyn*, taken the 9th of April, 1624:’

‘ The said Examination of *John Evelyn*, taken On the Part of the Lord Treasurer, the 5th of May 1624:’

‘ And the Examination of *Nicholas Scott*, taken On the Part of the Lord Treasurer, the 4th of May 1624:’

‘ The Lord Crew’s Letter to the Lord Treasurer, the 6th of November 1621:’

‘ Two

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An. 22. James I. 1624. "Two Certificates of the Commissioners of the Navy, the one of the 9th of May 1622, and the other the 4th of November 1622, deposed by John Evelyn, 9th of April 1624:"

"And an Abstract of the Money paid out of the Receipt of his Majesty's Exchequer, for Charges of the Office of Ordnance, from Michaelmas 1621, in the 19th Year of his Majesty's Reign, untill the 2d of April 1624, examined and deliver'd by Sir Robert Pye, Auditor of the Receipt of the Exchequer, was also read, to shew what the Lord Treasurer had paid concerning that Office."

The Lord Treasurer's Objections to Mr. Attorney's Manner of Proceeding. The Lord Treasurer answered, *I had need, in the first Place, to pray for Patience, so much Pains being taken by Mr. Attorney to make me appear a faulty Man.*

"Unto which the Lord Keeper reply'd, That the Lords conceive that these Words are a Wrong done unto them; and, he conceived, that they are a greater unto his Lordship, the Lord Treasurer, who being a Judge, makes no Difference of a Charge."

"The Lord Treasurer answered, *That he is injuriously dealt withall, and that no Peer hath been charg'd in this Place before by the King's Counsel.*"

"And being demanded by the Lord Keeper, wherein he is injuriously dealt withall, he answered, *By Mr. Attorney's opening the Proofs by Parcels, and by directing Parts of the Depositions to be read, which should have been done wholly and together.*"

"The Lords conceived themselves to be wronged by these Words, for that Mr. Attorney had done nothing but as Attendant to the House, and by their Direction; and therefore the Prince his Highness willed him (the Lord Treasurer) to clear Mr. Attorney, or else this Asperion will light very heavy upon him."

Who is justified by the Lords. "And the House did acquit Mr. Attorney for any Thing he had said or done herein."

"Then Mr. Attorney opened the Heads of the Charge again, viz.

"The

\* The first Settlement of the Office of the Ordinance, Anno 6. Jac.

An. 22. James I.  
1624.

\* The second Settlement by the Lord Treasurer Salisbury, Anno 1617.

\* And the third Settlement by the Commissioners of the Navy, 1620. And that the Lord Treasurer had observed none of them.

\* The Lord Treasurer answered, as touching the second Settlement, *Nothing hath been done upon it to this Day; and yet it was made four Years before he was Treasurer.*

\* As touching the third Settlement, *It was pro-*

His Lordship's  
Defence against  
the Charge of  
Want of Munition.

*pounded only, and opposed, but never allowed; if allowed, it was thirteen Months before he was Treasurer, and yet nothing done in it, as by Cook's own Oath: That he had no Privy Seal for it. And how then can he be charged for the Breach of that Settlement which was never settled? But he will not give that for Answer. And then his Lordship affirm'd, That the Stores are furnished, and that he had paid all the said Ordinary of 3000 l. per Annum, save 300 l. tho' no Privy Seal was issued out upon that Book presented by the Commissioners of the Navy; and paid divers other Sums of Money for Provisions of the Stores; whereof his Lordship recited the particular Sums: And whereas that Office was unsettled by Sir Roger Dallison, he, being a Commissioner for the King's Debts, found due to the Officers 18,000 l. and caused 13,000 l. of it to be paid by Dallison's Lands, and the rest to be paid also afterwards; so that a small Sum will now settle that Office, which was then so unsettled.*

As touching the Powder, *That when he came to be Treasurer, he found but 116 Lasts of Powder, whereof 21 Lasts, delivered by Evelyn, were left unpaid for; and that he paid him 2000 l. Arrears: Tho' 60 Lasts of Salt Petre be not in the King's Stores, yet there is so much in Evelyn's Ware-House; and then it is the King's. Neither can the King receive such Detriment or Loss; for when Evelyn is paid*

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An. 22. James I. paid, he is to make Allowance of the Powder by him sold. And affirmed, That he had paid more for Powder than was paid for seven Years before.

1624. ‘And his Lordship directed to be read the Examination of *Andrew Bassano*, taken on his Lordship’s Part the 4th of May, 1624.

‘Who deposeth to the thrid Interrogatory, ‘That the Total of Gun-Powder, remaining in the Stores of the Office of Ordnance, on the 1st of October, 1621, was 116 Lafts, or thereabouts; and the Store of Powder remaining in the Stores of the said Office, on the last Day of March, 1624, was 130 Lafts, or thereabouts, whereof 19 unserviceable, &c. And that the Arrears for Gun Powder was paid to Mr. Evelyn by the now Lord Treasurer; but what the Arrears were the said Deponent knoweth not, &c.’

‘Mr. Attorney replied, That Mr. Evelyn cannot be called to an Account but for the Powder sold after he is paid, and not for any Powder sold before he is paid.’

‘And, to prove the same, the Clerk read the Abstract of the Covenants with *Evelyn*, viz. Of the sixth Covenant, to account for the Powder sold after Payment.’

‘And whereas the Lord Treasurer affirmed, That the thrid Settlement, made by the Commissioners of the Navy, was opposed, and so not settled. It is true, said Mr. Attorney, it was opposed by the Officers of the Ordnance, and yet afterwards submitted to by them; so then it wanted nothing but a Privy-Seal to settle it: And that his Lordship was not to expect that the Officers of the Ordnance would further this Proposition of the Commissioners of the Navy, touching the said Settlement; for it took from them 10,000 l. yearly in Fees, and other Unneccesaries; so that it concerned his Lordship (who knows this, being one of the Commissioners) to see it settled by a Privy-Seal and observed, and yet his Lordship hath done nothing in it these two Years and a Half since he was Treasurer.’

‘And

• And as touching those particular Sums of Money, which his Lordship recites to be paid by him for Provisions, Mr. Attorney replied, That besides the said 13,000 l. paid by *Dalton's* Lands, and the said 8000 l. paid by his Lordship, upon his Lordship's aforesaid first Contract with the Officers, and the 4000 l. upon his said second Contract, his Lordship has not paid a full 1000 l. for Provisions, the rest he paid for Wages only; and that thereby the Stores are found to be unfurnished and weak, which would have been well supplied, if the 3000 l. *per Annum* had been paid for the Store of the Magazines.'

• The Charge touching the Officers of the Ordnance being ended, Mr. Sergeant Crew opened that of the

C O U R T of W A R D S.

• That whereas, in December, 1618, Instructions <sup>Sergeant Crew</sup> for the Court of Wards were set out, (upon great <sup>opens the Charge</sup> Advisement with the Lord Chancellor of England, <sup>as to the Court</sup> <sup>of Wards.</sup>) the two Lord Chief Justices, and the Officers of that Court) the Lord Treasurer, by his Importunity and Power with the Officers, and by his Misinformation to the King, (waving a Reference to divers Lords of the Council) procured those Instructions to be altered, to the Prejudice of the King, and Oppression of the Subject.'

• For, by the former Instructions, *Anno 1618*, Petitions for Wardships were to be delivered to the Clerk of the Court, who was to enter them without Fee: But, by these Instructions, *Anno, 1622*, the Petitions are first to be delivered to the Master, so the end he may subscribe his Directions, and then the Master's Secretary to make Entry thereof the same Day it is deliver'd, and return it to the Senior, who is to present it to the Clerk, and the Clerk to enter it without Fee.'

• So the Clerk of the Court stands still restrained by these latter Instructions to take any Fees for entering of Petitions, but the Master's Secretary is not

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*An. 22. James I.* restrained ; and, being unlimited, he hath taken  
1624. great Fees for entering of these Petitions.'

' And whereas, by the former Instructions, *Ann. 1618*, all Tenders and Continuances of Liveries were to be made unto the Surveyor of that Court : Now, by these latter Instructions, they are to be made to the Master first, and afterwards to the Surveyor ; whereby the Fees for Continuance of Liveries are raised from 10*s.* the Term, to 20*s.* the Term.'

' And whereas, before, no Ward was esteem'd a conceal'd Ward, unless no Suit had been made within three Years after the Death of the Tenant : Now, by these latter Instructions, the Master hath Power, alone, to dispose of Wardships concealed but one Year ; so that the Master may make any a concealed Ward, by concealing the Petition, and not entering it with the Clerk ; the Petition being hereby appointed to be delivered to the Master first.'

' And that the Master of this Court of Wards, the Lord Treasurer, hath committed unto his Secretary a Stamp of his Name, and hath hereby put his own Power into the Hands of his Secretary : For his Secretary hath used his Stamp, in the Absence of the Master, for signing of Tenders and Continuances for Warrants to the Great Seal for Liveries ; and Warrants to find Offices for Grants of Wardships, Leases, Indentures, and the like ; and for expediting of judicial Acts in the Court : And that this Stamp may be a ready Way to make concealed Wardships, and may take away mean Proceedings due to the King for want of Livery ; and may antedate Tenders, Continuances, and Petitions ; by reason whereof the King may be prejudiced great Sums, by preferring one before another by Wardships.'

' This being said, the Clerk was directed to read the Proofs.'

' And

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' And for this I charge you to see that  
Lord Keeper and others do it. Not for me  
the King. etc.

' That the alteration of these Instructions was  
desired before the Master & Wardens by the  
Master and Under Master of the Law and the  
Majesty understood by the Secretary was by  
the Honour and Trust of the Master. etc.  
added that the Master desired that the Clerk  
as amply as the Law of England, or the Lord  
Viscount Weymouth. But it was not then so  
exacted from the Master's servants that. etc.  
the Master then gave the new Instructions to the  
Prejudice of the King or himself, as appears also  
also; but above all the Secretary of the  
Alteration of the Law Instructions.'

' Therefore the Examinations were read to  
prove the Law Instructions important and sufficient  
to have these Instructions altered.'

' Then the Examination was read. etc.

*The Answer of Sir BENJAMIN RUDYARD, Kt., F.R.S.,  
Surveyor of the Mint, Sir WALTER FYFE, Kt., Sheriff,  
Attorney of the Court of Wards and Liveries,  
JOHN TOOK, Esq., Auditor General of the  
Court, and of RICHARD CHAMFERLAIN, Esq.,  
Clerk of the said Court, who made Return  
demanded of them.*

*Who do all affirm, 'That, by the former In-  
structions, Anno 1618, the Petitions were deli-  
vered only to the Clerk, who was to enter them  
without Fee; but, by the latter Instructions, the  
Master's Secretary is to enter them before they  
come to the Clerk, and the said Secretary is not  
restrained from taking of Fees.'*

' To prove that the Secretary hath taken great  
Fees for Petitions were read

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An. 22. James I. *The Examination of WILLIAM WELD, taken the  
1624. 21st of April, 1624.*

‘ That, about Christmas was Twelvemonth, he  
delivered to Mr. Herman, Secretary to the Lord  
Treasurer, from the Lady Edmunds, three Fru  
Dishes of Silver, worth, as he believeth, between  
40 s. and 3 l. a-piece, for the Furtherance of her  
Business and Petitions touching the Wardship o  
her Son.’

*The Examination of ROBERT DEBDEN, taken th  
same Day.*

‘ That he delivered to Mr. Herman a Lett  
and 5 l. 10 s. in Gold, from Mr. Brewster, ar  
received from him a Schedule concerning  
Wardship, to deliver to Mr. Brewster.’

*The Examination of EDWARD BREWSTER, tak  
the same Day, to the same Effect.*

‘ And that it was for a Schedule of a Compo  
tion of the Wardship of Sir Thomas Baker; a  
that the said Composition was made, in Trini  
Term was two Years, by the rest of the Coun  
in the Absence of the Lord Treasurer; and that  
for a Month after, he sollicited the Lord Tre  
asurer and Mr. Herman for a Dispatch there  
but could not prevail; the Lord Treasurer tel  
ling him, That he liked not the Compositio  
Whereupon, after Hillary-Term, lest Proc  
should go forth, he wrote a Letter to Mr. Her  
man, promising to be thankful; and receiv  
Answer, that it was dispatched, he sent the said  
Money, and had the aforesaid Composition.’

*The Examination of ELIZABETH BRADFORD,  
taken the same Day.*

‘ That she offered Mr. Herman 10 s. for her Pe  
tion to the Lord Treasurer, for the Wardship of  
Daughter; but he refused, and told her his E  
was

• was 20 s. and would have no less: And there-  
• upon she gave him 20 s. and he then told her,      An. 22. James I.  
• That he had had 5 l. for a less Matter, and was  
• angry with her for standing with him.'

*The Examination of CHRIST. VERNAM, taken  
the same Day.*

• That, about *Christmas* was Twelvemonth, he  
• gave Mr. *Herman* 22 s. upon the Delivery of a  
• Petition to the Lord Treasurer, for a Wardship;  
• and, about *May* following, when a Day was af-  
• signed to attend the Composition, he gave Mr.  
• *Herman* 44 s. more.'

• And to prove that, by Colour of these latter  
Instructions, Fees for Continuances of Liveries are  
raised from 10 s. to 20 s. the Term, were read

*The said ANSWER of the said Officers of the Court.*

*Who say,* 'That they have heard that the Sub-  
ject paid to the Secretary (for the Master's Use)  
half Fees for Tenders, and whole Fees for Con-  
tinuances. *And they, the said Surveyor, Attorney,*  
*and Auditor, do say,* That the Master did declare  
his Intention not to debar the Surveyor of his  
Fee for Continuances: *But said,* Because Con-  
tinuances were Matters of Grace and Favour from  
the King's Majesty, that therefore, if the Subject  
would have them, they should pay for them.'

*The Examination of JEFFREY BRIGHT, taken the  
21st of April, 1624.*

*Who saith,* 'That, since the said last Instructions,  
the Fees of Continuances of Liveries have been  
raised from 40 s. per Annum to 4 l. 8 s. where-  
of 40 s. goes to the Lord Treasurer, and 4 s. to  
Mr. *Herman's* Man.'

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An. 22. James I. *The Examination of THOMAS FABIAN, taken the  
1624. same Day.*

*Who saith,* ‘That, since the last Instructions,  
‘the Fees for Continuances of Liveries have been  
‘raised 11 s. every Term; which Fee the Lord  
‘Treasurer’s Secretary receives; which is specially  
‘complained of by such as have Suits in Court.’

*The Examination of NICHOLAS HERMAN, taken  
the 22d of April, 1624.*

‘That, since the last Instructions, the Lord Treasurier did take, upon every Continuance of Livery, 10 s. a Term, and no more.’

‘And to prove that, by the latter Instruction, the Master hath Power to make most Wardships concealed, was read

‘The Answer upon Oath of the said Officers of the Court of Wards.’

Touching the STAMP were read

*The Examination of the said NICHOLAS HERMAN.*

*If he saith,* ‘That, by the Direction of the Lord Treasurer, there was a Stamp made, and, by his Lordship, delivered to the Examinant, with Power to sign therewith such ordinary Thins touching the Business of the Court of Wards, as were to be signed by his Lordship. And saith, That he did move the Lord Treasurer to make the said Stamp; and the Reason was, for the Suitors that followed these ordinary Business attended sometimes eight, nine, or ten Days Dispatch, which occasioned much Clamour, and some Jealousy that the said Examinant delayed them of Purpose; and therefore the said Examiner was desirous to give them better Dispatch. And saith, The Lord Treasurer did not distribute his Time, alligning any certain Days or Hours for the Dispatch of the Affairs of the Court of Wards, otherwise the said Stamp had not

not been made. *And saith*, He did use the said Stamp sometimes in his Lordship's Absence, and sometimes in his Presence, when his Lordship was otherwise busied. *And saith*, That there was but one Stamp; but he could sign several Ways, according as he set on the Stamp; sometimes with the Name of *Middlesex* alone, and sometimes with the Addition of *Curia Wardorum.*'

*The aforesaid Examination of JEFFREY BRIGHT.*

' That he hath seen Mr. *Herman* set the said Stamp to an Indenture for a Wardship of Body and Lands, and to many other Things.'

*The said Examination of THOMAS FABIAN.*

' That Mr. *Herman* hath set the said Stamp to sundry Writings in the Absence of the Lord Treasurer.'

*And the said ANSWERS of the Officers of the Court of Wards.*

' That Mr. *Herman* hath used the said Stamp for stamping of Tenders and Continuances, Warrants to the Great Seal, Grants of Wardships, Leafes, Indentures of Liveries, &c.'

' And there were shewed forth, and read by the Clerk, divers Petitions of sundry Natures, stamp'd with the said Stamp.'

*The Lord Treasurer answered unto this Charge, That he is not to be blamed for putting his Office into such Plight as it was before an Encroachment.* The Lord Treasurer's Answer.

As touching his Secretary's Fees, As he is not restrained, so nothing is allowed; and if he hath exacted any Thing, his Lordship will be the severest Cen-  
furor of him. He never heard of any till now. That the Secretary to former Masters received what-  
soever any Man gave voluntarily, so it was lawful

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An. 22 James I.  
1624. As touching the Fee for Continuances, Why should  
be lose any Thing due for a Favour to the Subject? By this Means there be fewer Continuances; and so  
the King has his Money the sooner, and the Party is  
free for the Subjects Suit the sooner.

As for concealed Wardships within a Year, It is beneficial to the King; otherwise, within three Years, the Ward might die, and the King lose the Wardship. Neither bath the Master such Power, alone, therein by these new Instructions: He is only trusted with the Direction unto whom the concealed Wardship shall be granted; the Composition is left to the Council-Board: But it is not shewed that he ever made one concealed Wardship. They say this may be done, but do not shew what was done amiss. And his Lordship justified, That these new Instructions were more beneficial to the King and Subject than the former, and not prejudicial; for as touching the Petitions, if the Ward happen in a Vacation, the Petition must be delivered within a Month; if to the Clerk, perhaps he is out of Town: Now they are to be delivered to the Master first, and he may direct the finding of the Office in the Interim; but it is of no Force till the Petition be afterwards entered by the Clerk, and Composition is made by all the Officers.

Indeed the Officers yielded, hardly, to the new Instructions; because they had, by the former, shared the Master's Power and Authority among themselves.

His Lordship confessed, That he yielded to have Stamp made by the Precedent of the Lord Burleigh' Stamp; which, he said, he could not prove but by Hear-say: And Stamps are used in the S\*\*\* (1) Office and the Outlawries. And that it is no more prejudicial to commit a Stamp to his Secretary, than it hath been heretofore to leave the Seal with the Clerk. Neither is it shewn that this Stamp bath been to the prejudice of any Man, the same Things that were stamp ed, being to pass other Officers either first or last.

\* The

(1) Draft in Orig.

‘ Then the Clerk, by the Lord Treasurer’s Di- An. 22. James I.  
rection, read 1624.

*The Examination of RICHARD CHAMBERLAIN  
and HUGH AUDLEY.*

‘ That the same Things that were stamped have,  
‘ or ought to pass other of the Officers Hands, ei-  
‘ ther before or after they were stamped. That no  
‘ Prejudice hath been, to their Knowledge, to any,  
‘ either to the King or Subject, by reason of the  
‘ said Stamp, unless the Subject hath received any  
‘ Prejudice upon Petitions stamped for judicial Acts  
‘ of the Court. That the Suitors have had speedy  
‘ Dispatch by the Stamp.’

‘ This being read, Mr. Sergeant Crew made a short Reply touching the double Fee for Continuances.’

‘ That, in the Time of Lord Treasurer Bur- Sergeant Crew’s  
leigh, there was paid but 6 s. 8 d. for a Continu- Reply.  
ance, either to the Master or Surveyor; which is now paid to both, and 10 s. unto each.’

‘ Unto which the Lord Treasurer answered, in effect, as before, and further said, *That he had much more to say, but durst not adventure to say any more, for that he was so far spent; and desired that he might wait on their Lordships again, To-morrow Morning, to satisfy them touching the two Bribes of 500 l. and the Business of Dallison.*

‘ Before the Lord Treasurer was withdrawn, the Earl of Carlisle remembered their Lordships, That the Lord Treasurer, the other Day, had charged him with 3000 l. given him; whereas, about twelve Months after the Lord Treasurer was made Master of the Wards, his Lordship paid the Earl of Carlisle 3000 l. in part of 20,000 l. given him by the King. And whereas the Lord Treasurer spoke of the vast Expences of the Wardrobe in former Times, the Earl of Carlisle said, That the Expences grew so great by reason of the extraordinary Charges then happening; as, by the Queer

An. 22. James I. *Bohemia's Marriage*, which came to 60,000l. alone ;  
1624. for furnishing divers of the King's Houses ; for ma-  
ny rich Presents sent to foreign States ; for the  
King's Voyage to Scotland ; and the like.'

' And the Earl of *Denbigh*, now Master of the Wardrobe, shewed, That he cannot get any Allowance for the Extraordinaries of that Office from the Lord Treasurer.'

' Whereunto his Lordship answered, *That the King referred unto him the Earl of Denbigh's Demands of the Extraordinaries, wherein his Lordship was unwilling to meddle, for he could not conceive how they could amount to the Sum demanded.* And as touching the Earl of *Carlisle*, *If he had said that he had given him that 3000l. he d'd his Lordship wrong, for he had Warrant from his Majesty to pay it.*

' And then the Lord Treasurer desired he might be heard to clear some Words that might pass from him this Day, where it is reported that his Lordship should say, *That he had unchristian Dealing : He meant it not by their Lordships, whose Dealings he acknowledged to be to him both just and honourable ; but he meant it by the King's Counsel, who have dealt unchristianly with him, as to make White Black, and Black White :* And humbly desired, *That this his Acknowledgement of the Justice of the House might be accepted of him, and to be understood only of the King's Counsel.* And said further, *That he had Precedents, that he ought not to answer in this Place, (at the Bar) and that he ought to have Counsel ; and prayed that the next might not suffer by his Example.*

' And again desired to appear To-morrow to make his further Answer.'

' The Lord Treasurer being withdrawn, the House agreed, *That he should appear here again To-morrow at Nine of the Clock ; and Mr. Maxwell, the Gentleman Usher, warned him to appear accordingly.*

' The Lord Keeper cleared the Proceedings of the King's Counsel in their several Charges against the Lord Treasurer ; and the House gave them Thanks for their fair Carriage therein.'

May 12. The Lord Treasurer being at the Bar, An. 12. James I.  
and being admitted to speak in his own Defence,  
his Lordship first repeated the several Heads of the  
Matters wherewith he is charged, *viz.*

- ‘ 1. Touching the Wardrobe.’
- ‘ 2. Touching two Bribes received of the Farmers of the Customs.’
- ‘ 3. Compositions of the Out-Ports for Grocery.’
- ‘ 4. The Officers of the Ordnance. And,
- ‘ 5. The Court of Wards.’
- ‘ As for the first, That his Omission of an Account in the Wardrobe did neither add to nor diminish the Charge the King was at; and that, altho’ his Lordship omitted to serve some of the Lord Chamberlain’s Warrants, amounting to a Matter of 700 l. yet he had laid out, in the Extraordinaries of that Office, (which he was not bound to do) about 6000 l. and that the good Service which he had done his Majesty in that Office is well known.
- ‘ Touching the two Bribes, term’d disguised Corruptions, Howsoever the Farmers of the Customs presented the same, he could not know their Thoughts but by their Words and Deeds. And his Lordship protested, That he received the same no otherwise than for his Interest in four 32 Parts of the Great Farm of the said Customs.
- ‘ As touching the Lease for Sugars, He will say no more than formerly he had spoken. Nor,
- ‘ For the Compositions for Grocery, save only, That his Lordship had sent Barret’s Son unto Mr. Sergeant Crew, to satisfy him that Barret had formerly collected the said Compositions, by virtue of the Warrant of former Treasurers.
- ‘ As touching the Office of the Ordnance, His Lordship would speak no more touching the Provision for Arms and Gun-Powder, than he had done. But,
- ‘ As touching Dallison’s Business, his Lordship said, It began originally before he was Treasurer; he wherein settled the King’s Debt unto the Officers, and hath parted with that Estate, which he had from them in Dallison’s Lands, within a Month after he was Treasurer; yet, if the second Bargain made with these

The Lord Treasurer’s general Defence against the whole Charge.

An. 22. James I. 1624. these Officers prove not as beneficial to them as the first should have been, they have his Word to make it as good; which he would perform. And his Lordship further proffered, That any one should have Dal-lison's Lands again at a far less Sum than they cost him.

‘ Then he desired their Lordships to take into Consideration His Disability to answer, and the Ability of those that did oppose him; and, if he had been as well able to speak for himself, as they that spoke against him, he doubted not but that he should have given their Lordships very good Satisfaction.

‘ His Lordship spake much in excuse for those Matters complained of against him as Lord Treasurer, saying, *That the King's Necessity and Want of Money was the Cause of much thereof.*

‘ He acknowledged, *That the King had been a good and bountiful Master unto him; and avowed, That he had been a good and faithful Servant unto his Majesty; not for Impositions, for (those two only excepted, which are presented by the Commons) he ever stood against them, deeming them a Partition-Wall between the King and the Subject.*

*That his Service has been in Reformations, viz. Of the Household; of the Navy; of the Wardrobe; and of the Kingdom of Ireland; which are Things of that Nature that they beget Enemies: And if, in doing Service to his Majesty, he hath procured to himself many Enemies, their Lordships will not impute that to him for a Fault.*

‘ His Lordship also affirmed, *That he had done his Majesty good Service in the Palatinate, by advancing the Exchange of the King's Money thither, wherein he saved the King 60,000 l. And affirmed, That he had advanced the Profits of the Crown at least 80,000 l. tho' not by Impositions; these he medled not with, the other two excepted, and they were agreed unto by the Council-Board. The Ships indeed were in the River, but the Vintners were sent for, and made to pay what was imposed on the Merchants.*

*That he offered to pay the Arrear due for Ireland, a third Part from the one Deputy, and the one Half from*

from the other ; wherewith he acquainted his Majesty, An. 22. James I.  
and turn'd it all to his Majesty's Profit. 1624.

That he hath been a Judge these eight Years, and no Complaint brought against him for Corruption or Bribery ; which he hoped would weigh much with their Lordships.

‘ And as for the Offence taken Yesterday against him, touching the King’s Counsel, (whom he ever lov’d well) He knew them to be of that loving Nature, that he doubted not but that they would impute it to his Rashness, and forgive him.

‘ Then he craved Pardon of their Lordships, if he had omitted any Thing, or spoken ought that might discontent them ; and so, with humble Thanks for their Favour to him, he concluded his Speech.’

‘ The Lord Treasurer having ended his Speech, he was answered by the Lord Keeper, That the Council-Table disavowed the Imposition on Wines to begin from them : It came from his Lordship, as belonging to his Place of Lord Treasurer ; the Matter was his alone ; the Manner also was contradicted by the rest of the Council, for that the Merchant Ships were then in the River ; only they gave way to it, upon his Lordship’s undertaking that the Merchants would yield thereunto, and that they should be no way prejudiced thereby.’

‘ Whereunto the Lord Treasurer replied, That this was no Part of his Charge.

‘ The Lord Treasurer being withdrawn, and the House adjourned *ad Libitum*, Mr. Attorney General read that Part of the Charge against the Lord Treasurer which concerned the Wardrobe.’

‘ And the Lords having duly considered of the Crimes objected against the Lord Treasurer, for not entering into a Book of Accounts the Warrants and Emptions, as he ought to have done, whereby the Settlement and antient Institution of that Office is altogether broken ; and for not serving the Warrants directed unto him for the King’s own ! tho’ he was often urged thereunto ; nor p

The Lords take  
into Considera-  
tion the several  
Articles of the  
Charge, and the  
Lord Treasurer’s  
Answers.

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An. 22. James I. vers of the Creditors for such Stuff as they served  
in, altho' he received 20,000 l. per Annum, by way  
of Imprest, for the ordinary Charge only of that  
Office; which a far less Sum would have fully de-  
frayed: And for that he had not perform'd that  
good Service, which he pretended unto his Ma-  
jesty; but, under Pretence thereof, had procured  
to himself great and large Gifts from his Majesty,  
and Pardon of divers great Sums of Money:

' And the King's Counsel having satisfied their  
Lordships, That the said Pardon to the Lord Tre-  
asurer did not pardon his Lordship's not accounting;  
the House was resumed, and the Question put,  
Whether the Lord Treasurer, for his Carriage in  
the Office of the Wardrobe, be censurable, or No?  
And it was agreed, *Nemine dissentiente*, To be cen-  
sured.'

' *Post Meridiem*, Mr. Attorney read that Part  
of the Charge against the Lord Treasurer which  
concerned his taking of 500 l. of the Farmers of  
Wines and Currants for a Bribe, and 500 l. of the  
Farmers of the Great Customs, for a Bribe; and  
for exacting 100 l. of the said Farmers of Wines  
and Currants.'

' And their Lordships took into their Considera-  
tion the Lord Treasurer's Answer unto the said  
two Bribes, viz. *That he accepted of 1000 l. paid*  
*him, at one entire Payment, by the Farmers of the*  
*Great Customs, upon a Bargain of his four 32 Parts*  
*of the Great Farm.* And it appeared plainly un-  
to them, by the Examination of divers Wit-  
nesses, as well of those taken *ex Parte Domini Re-*  
*gis*, as of those taken *ex Parte Domini Thesaurarii*,  
*That 500 l. of the said Sum was given to the Farmers*  
*of the Wines and Currants, called the Petty Cu-*  
*stoms, to procure his Lordship's Warrant for De-*  
*falkation of 1000 l. per Annum of their Rents, for*  
*nine Years and a Half, in recompence of their Loss,*  
*according to his Lordship's farther Agreement with*  
*them on the King's Behalf, upon his Majesty's*  
*Reference unto his Lordship: And that the other*  
*500 l. was given, by the Farmers of the Great*  
*Customs,*

Customs, to procure his Lordship's Warrant unto <sup>An. 22. James I.</sup> the King's Remembrancer, to take Security for <sup>1624.</sup> Payment of the Rent to his Majesty of the four Patentees of that Farm, in lieu of five Partners who had relinquished their Parts therein: And that his Lordship had not reserved to himself any Parts of the said Great Farm, as his Lordship pretends: And if he had, it had been a great Deceit unto his Majesty, for the Lord Treasurer of *England* to contract with others for his Majesty's Customs, and secretly to reserve Parts therein unto his own Benefit: And when, as his Lordship affirms, that he received the 100 l. of the Farmers of the Wines and Currants, for a New-Year's Gift, it appeared also by the Examinations, That the said Farmers did present his Lordship with a Tun of Wine for his New-Year's Gift, and his Lordship exacted the 100 l. of them afterwards; which divers of their Lordships conceive to be Extortion.'

' All which being fully discussed, the House was resumed, and the Question was put, Whether, upon this whole Charge, the Lord Treasurer be censurable, or No? And agreed generally, To be censured.'

' The House being again adjourned *ad Libitum*, Mr. Attorney General read that Part of the Charge against the Lord Treasurer, which concerned his Lordship's procuring of *George Herriot* to surrender his Lease of the Farm of Sugars, which he held at the Rent of 10,000 Marks *per Annum* to the King, and for procuring a new Lease thereof immediately to two of his Lordship's Servants, to his own Use, at 2000 l. *per Annum*; and for denying the Merchants, upon their Exportation of Sugars, the Imposts paid therefore upon the Importation, as his Lordship ought to have done by the Directions of his Majesty's Letters Patent of the 5th of December, Anno 8. Jacobi.

' Upon reading whereof the Lord Keeper signified to their Lordships, That he had received a Message from the King touching this Charge, v:z.

' That his Majesty did freely give unto the Treasurer 4000 l. *per Annum*, out of the £

An. 22. James I. of Sugars, the same to begin presently after the  
1624. Date thereof.'

' Their Lordships taking into Consideration, that this was the King's free Gift, they did not think it fit to censure the Lord Treasurer for the same; altho' his Lordship had unduly informed his Majesty of good Services done in the Office of the Wardrobe, which his Lordship perform'd not, for which this Lease of Sugars was given him. Neither did his Lordship inform his Majesty, (for ought appears) that a Debt of 7000 l. was installed upon that Lease; the which his Lordship transferred to the Farm of Tobacco.'

' And as touching the Denial of the Impost unto the Merchants, upon the Exportation of Sugars, for that his Lordship affirms, That the Under-Farmers of the said Sugars from him are liable to the Re-payment of the said Imposts, if any be due, their Lordships did not think it fit to censure the Lord Treasurer for the same.'

' And the House being resumed, the Question was put, Whether the Lord Treasurer shall be freed from any Censure in this particular Charge, or No? And generally agreed, To be freed.'

' The House was again adjourn'd *ad Libitum*.

' And Mr. Attorney General read that Part of the Charge against the Lord Treasurer, which concerns the Composition for Grocery Wares in the City of *Bristol*, which City had refused to yield unto any Composition for the same; and yet the Lord Treasurer had given Warrant to levy the same against their Wills, and to stay the entering of their Goods untill the same was paid accordingly.

' But for that it appeared, that the Lord Treasurer *Dorset's* Letter, dated 1610, for levying the same Composition, agreeith with the Letter written by this Lord Treasurer; and for that divers of *Bristol* had paid the like Composition; and for that it did not appear that the Lord Treasurer did thereby seek any Benefit to himself, the Lords did not think him fit to be censured for the same.'

' Where-

\* Wherefore the House being resumed, it was put to the Question, Whether the Lord Treasurer shall be free of Censure in this Charge of Grocery, or No? And agreed, To be freed.

\* The House being again adjourned *ad Libitum*, Mr. Attorney General read another Part of the Lord Treasurer's Charge, *viz.*

\* That his Lordship, for this two Years and a Half, since he was Lord Treasurer, hath not observed the two Proportions or Establishments of the Ordinary, and Supply of the Office of the Ordnance; neither that which was settled for the Supply thereof by Privy Seal, *Anno sexto Jacobi*, for the Ordinary of that Office, nor that, in *Anno 1620*, set down by his Lordship, and the other Commissioners of the Navy for the present Supply thereof; whereby the Stores are, in effect, wholly unfurnished: And that his Lordship, since he was Lord Treasurer, neglected and kept not the Contract, made by himself and other Commissioners with Mr. Evelyn, for Gun-Powder, to the Hazard of the Kingdoms and Prejudice of the King; and that he made unlawful Bargains for the Lands of Sir Roger Dallison, contracting to procure Payment of old Arrears of Debt, which he performed when he became Treasurer, and to procure the Making of Baronets, and a Suit to the King for compounding with his Majesty's Copyholders of Wakefield, which he valued at two thousand Pounds; and for using indirect Means and the Power and Countenance of his Place, to wrest Sir Richard Smith and Sir John Davis out of a Lease, which Sir Roger Dallison had passed unto them.'

\* And their Lordships having fully discussed the great Neglect of the Lord Treasurer to issue the King's Money for the furnishing of the King's Stores of Munitions, with Armour and Powder; and that yet he paid the Arrear of Debts to that Office for his own particular Profit upon a Contract with the said Officers: And having considered his Lordship's great Misdemeanors in the Bargains for the said Lands of Sir Roger Dallison extended

An. 22. James I. tended for that Debt ; and his Lordship's propounding,  
 1624. for Part of Payment thereof, the Making of Baronets and a Suit for the compounding with his Majesty's Copyholders of *Wakefield* :

‘ And his Lordship’s Answer, That he preferred this Suit unto the King, in pity of Sir Thomas Mounfon’s Estate, a Man heretofore of good Account in his Country, and now decayed; which their Lordships thought most sordid, for a Lord Treasurer to make Use of to his own Benefit :’

‘ And it appearing unto their Lordships, That the said Lord Treasurer had set on foot an old Outlawry, upon a Debt long Time since paid by the said Sir *Roger Dallison*; and that his Lordship, upon Pretence of a Debt to the King where there was none, procured a Revocation of Letters of Administration granted of Sir *Roger Dallison’s* Goods; and had written his Letter to the Judges of the Common Pleas for the countenancing of this indirect Course, to wrest the said Lease from the said Sir *Richard Smith* and Sir *John Davy*, formerly granted unto them by the said Sir *Roger Dallison*: All this being fully debated, the House was resumed, and it was put to the Question, Whether the Lord Treasurer be worthy of Censure in regard of this whole Charge, both for the three Bargains, and for not supplying the Office of the Ordnance? And generally agreed, To be censured.’

‘ The House was again adjourn’d *ad Libitum*:’

‘ And Mr. Attorney read the rest of the Charge against the Lord Treasurer, viz. That the Lord Treasurer, being Master of the Wards, did, *Anno Domini 1622*, cause the Instructions, set forth by his Majesty, in *Anno 1618*, for the well-ordering of the Court of Wards, to be altered, against the Will of the Officers, by the Misinformation of his Majesty; whereby he hath taken the Petitions from the Clerk of that Court, and appropriated them unto himself and his Secretary: And that his Lordship having to himself concealed Wardships, he may easily make Wardships concealed by the Course of

of the said new Instructions: And that his Lordship hath doubled the Fees for Continuances of Liveries, and made a Stamp and deliver'd the same to his Secretary, who hath stamped therewith in the Absence of the Master, Tenders, Continuances, Warrants to the Great Seal, Grants of Wardships and Leases, Indentures of Liveries, &c.'

' And their Lordships considering, that it was not proved by the Examination of Witnesses, that the Secretary was appointed to take any Fees for the said Petitions, either for himself or for the Lord Treasurer; nor that the Lord Treasurer had made any Benefit to himself for concealed Wards by virtue of the said new Instructions: Therefore their Lordships thought his Lordship not censurable for those two Points of his Charge. But as touching the doubling of Fees of Continuances of Liveries, they thought his Lordship worthy to be censured both in respect of the Grievance of the Subject, and of his Lordship's Answer unto the same, viz. *It is the King's Grace to the People, let them pay for it.*'

' And for that he deliver'd a Stamp unto his Secretary, whereby he committed the great Trust, reposed in him by his Majesty, unto his Servant, not deigning to sign the Petitions, Liveries, and Warrants, to the Great Seal, with his own Hand, their Lordships thought him worthy to be highly censured for the same.'

' And thereupon the House being resumed, the Question was put, Whether the Lord Treasurer deserves a Censure upon the whole Charge or no? And agreed, *nemine dissentiente*, To be censured for the same.'

*May 13.* After reading a private Bill or two, the Lords ordered the Gentleman Usher and the Sergeant at Arms, attending on that House, to summon the Earl of Middlesex, Lord Treasurer of England, to appear presently before their Lordships.

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An. 22. James I.  
1624. The Warrant was signed by the Lord Keeper,  
and delivered to the Gentleman Usher.

The House being adjourned *ad Libitum*, the Clerk read the Heads of the six Charges against the Lord Treasurer, and the six several Votes of the House which were Yesterday past upon the same.

And their Lordships having duly considered upon the Proofs of Bribery, Extortions, Oppressions, Wrongs and Deceits, objected against the Lord Treasurer, found the same to be most apparently proved.

And, as to the Allegations of the Lord Treasurer of his good and profitable Services to the King; in the Reformation of the King's Household, of the Navy, of the Wardrobe, and the Kingdom of *Ireland*, their Lordships entring into Debate thereof, it was made manifest to them, by many Particulars then declared, That, as touching the Reformation of the King's Household, Wardrobe, *Ireland*, He, the Lord Treasurer, had deserved very ill of his Majesty; and, as touching the Navy, though his Lordship was but a Commissioner with others, who were more skilfull, and did more Good than he, yet, he assumed to himself the whole Glory thereof; and his Manner was so to do, in all other Business wherein his Lordship and others were joined.

The Lords also considered of the Lord Treasurer's Allegation of his advancing the Exchange of the King's Money, sent to the *Palatinate*, for Payment of the King's Forces there; and it appeared unto them plainly, That his Services therein deserved no such Respect, as his Lordship assumed unto himself; the Soldiers of *Frankendale* being yet unpaid.

Then the House being resumed, the first Question was put,

I. Whether the Lord Treasurer, in regard of these Misdemeanors proved against him, shall lose all his Offices which he holds in the Kingdom, or No?

It was unanimously agreed, That he should lose <sup>An. 1. James.</sup> them all. <sup>1604.</sup>

The second Question,

II. Whether the Lord Treasurer shall for ever, hereafter, be incapable of any Office, Place or Employment, in the State or Common-Wealth, or No?

Agreed, That he should be incapable of them all.

The third Question,

III. Whether he shall be imprisoned in the Tower of London, during his Majesty's Pleasure, or No?

Agreed, For Imprisonment.

The fourth Question,

IV. Whether the Lord Treasurer for these Offences shall pay a Fine to the King, or No?

Agreed to a Fine.

But then the House was adjourned *ad Libitum*, That the Lords might more freely discuss what Fine to impose on the Lord Treasurer. And, being resumed,

The fifth Question was put by the Lord Keeper,

V. Whether a Fine of 50,000 l. be sufficient to be imposed on the Lord Treasurer, or No?

Agreed to this Article.

The sixth Question,

VI. Whether he shall, hereafter, sit in Parliament, or No?

Agreed, That he shall never sit again in Parliament.

The seventh Question,

VII. Whether the Lord Treasurer shall come within the Verge of the Court, or No?

These Questions being all put and agreed to, the whole Censure against him was drawn up in Form, read by the Lord Keeper, and passed by a general Vote of the whole House.

Then a Message was sent to the Commons, by Mr Sergeant Crew and Mr Attorney General, That the Lords were now ready to give Judgment against the Lord Treasurer, if they, with their Speaker, will come and demand the same.

An. 22. James I.  
1624. *Answer.* That they will attend, presently, as the Manner is.

Accordingly, the Lords being all in their Robes, to the Number of sixty-two, *viz.* the Prince of *Wales*, the Lord Keeper, the Archbishop of *Canterbury*, twelve other Bishops, with forty-seven Earls, Viscounts, and Barons, the Lord Treasurer was brought to the Bar, by the Gentleman Usher and the Sergeant at Arms; when his Lordship making a low Reverence, kneeled, untill the Lord Keeper willed him to stand up. The Commons came in with their Speaker, and the Sergeant attending him let down his Mace, when the Speaker address'd himself to the Lords as follows:

'The Knights, Citizens, and Burgeſſies in this Parliament assembled, have, heretofore, transmittid unto your Lordships several Offences against the Right Honourable *Lionel, Earl of Middlesex*, Lord High Treasurer of *England*, for Bribery, Extortions, Oppressions, and other grievous Misdemeanors committed by his Lordship; and now the Commons, by me their Speaker, demand Judgment against him for the same.'

The Lord Keeper answered, This High Court of Parliament doth adjudge,

*That Lionel Earl of Middlesex, now Lord Treasurer of England, shall lose all his Offices which he holds in this Kingdom; and shall, hereafter, be made incapable of any Office, Place, or Employment in the State and Common-Wealth.*

*That he shall be imprisoned in the Tower of London during the King's Pleasure.*

*That he shall pay unto our Sovereign Lord the King a Fine of 50,000 l.*

*That he shall never sit in Parliament any more.*

*And that he shall never come within the Verge [redacted] the Court.*

We have met with a Story, quoted in an Auth[ority] o  
of very good Credit (f), That the Lord Bacon, [redacted]  
[redacted] (c)

(f) *Petyt's Miscellanea Parliamentaria*, in the Preface.

After he was sentenced in Parliament, meeting with An. 12. James I.  
 Sir Lionel Cranfield, whom King James had then 1614.  
 newly made Lord Treasurer; Lord Bacon, having  
 first congratulated his Advancement to so eminent  
 a Place of Honour and Trust, told him, between  
 Jest and Earnest, That he would recommend to  
 His Lordship, and, in him, to all other great Of-  
 ficers of the Crown, one considerable Rule to be  
 Carefully observed; which was to

*Remember a Parliament will come.*

We do not believe his Lordship had the Spirit of  
 Divination in him, tho' the Event shewed some-  
 what like it, and verified the familiar Saying of the  
 Lord Coke;

*That no Subject, tho' never so potent and subtle,  
 ever confronted or justled with the Law of England,  
 but the same Law, in the End, infallibly broke his  
 Neck.*

One Instance of the Truth of this Maxim is just  
 related, for thus fell *Lionel Cranfield, Earl of Middlesex*; who, from a low Beginning, was, for his  
 Eminent Qualities in mercantile Affairs, raised to that  
 Title, and to one of the highest Posts in the King-  
 dom. He was the Son of *Thomas Cranfield, Esq*;  
 but was no more than a *London Merchant* himself;  
 and, being bred up in the Custom-House, was  
 looked upon as a fit Instrument to detect the Frauds  
 in those Officers. The King, in his last Speech to  
 the Lords, hath given an Account how he was in-  
 troduced to Court, and by what Steps he rose to  
 the Height he so suddenly fell from; and, by what  
 His Majesty hints, in that Speech, there might be  
 much Malice and Envy in his Prosecution

Some Account of  
the Rise and Fall  
of the Lord Treas-  
urer Middlesex.

Mr. Rapin charges the Prince of Wales and Duke  
 of Buckingham with a Conspiracy to ruin the  
 Treasurer, for refusing them, at Times, the exor-  
 bitant Sums they demanded when in Spain: That  
 they made Use of their Credit with the Parliament  
 for that Purpose, and caused him to be accused, by  
 their Creatures, of Management in the Dis-  
 charge of his Office (g).

An. 22. James I.  
1624.

This Hint our Author has strongly improved from *Wilson* and Lord *Clarendon*: The former says, ‘The Duke of *Buckingham*, remembering how the Lord Treasurer repined at the Monies spent in *Spain*, and his Comportment to him since his Return, resolved to bring him down from that Height he had plac’d him in.’ And the latter, ‘That the King was against the Prosecution of the Treasurer, by an Impeachment; because he foresaw, that those Kinds of Parliamentary Proceedings would shake the Royal Authority, in the Choice of his own Ministers, when they should find that their Security did not depend, solely, upon his own Protection; which Breach, adds the Noble Historian, upon his kingly Power, was so much without a Precedent, that, except one unhappy one, made three Years before, to gratify likewise a private Displeasure, [Lord *Bacon* he means] the like had not been practised in very many Years. The King told the Duke, ‘That he was a Fool, and was making a Rod for his own Breech;’ and the Prince, ‘That he would live to have his Bellyfull of Parliamentary Impeachments (*b*):’ Both which will be found prophetically true in the Sequel.— But, in this Case, after all, the Guilt or Innocence of the Accused, must be left to the Reader’s Judgment, by the Circumstances of the Trial: However, it seems very plain that the Duke of *Buckingham*, who, as the King takes Notice, first introduced him to the Court, did, at least, desert him upon his Trial; otherwise there is no Room to suppose that the Prosecution would have been carried on so vigorously, or the Sentence have been so unanimous and so severe against him.

Whether the King remitted the Fine, or any Part of it, is uncertain; but his Lordship lived many Years after this Disgrace, and died in a good old Age, in the Year 1645, leaving two Sons, who both succeeded him in his Title of Earl of *Middlesex*; but wa—

(*b*) Lord *Clarendon*’s History of the Rebellion, Vol. I. Fol. Edi—  
1792. P. 20.

was extinct in the latter. —— This short Digression <sup>An. 22. James I.</sup> is thought proper, in order to give some further Account of a Man, heretofore scarce known in History (i).

**May 14.** A Committee of Lords was appointed by the House to attend the King, and to acquaint him with the Judgment awarded by the Lords against the Earl of Middlesex, late Lord Treasurer of England, and to desire his Majesty to take away the Staff and the Seal of the Court of Wards from him.

Ordered also, That the King's Counsel do draw up a Bill, and present the same to the House, to make the Lands of the Earl of Middlesex liable unto his Debts; unto his Fine to the King; unto Accounts to the King hereafter; and to Restitution to such whom he had wronged, as shall be allowed by the House. —— This Bill afterwards passed into a Law; but not with that Unanimity, in the Lower House, as in the Trial before the Lords; for, upon the third reading thereof in the Commons, it was carried by a Majority of but thirty-six Voices (k).

The same Day the Bishop of Norwich besought the Lords to remember the Message from the Commons, on the 8th Instant, for a Conference touching some Accusation against his Lordship, which their Lordships then deferred, by reason of the Thinness of the House; and desired them to appoint

<sup>The Commons Complaint against the Bishop of Norwich.</sup>

(i) Dugdale says he was buried in St. Michael's Chapel, Westminster Abbey, and has given us the Epitaph on his Monument. By one Expression in it, the Family seem to be desirous to wipe off the Odium of his Trial and Sentence: The Words are these, after enumerating his various Preferments and Titles;

— Hinc gliscente Invidia urguntur adversæ  
Rerum Procellæ, dum animose movere lucentes;  
(Quæ Innocentia Conscientia) forte jactatus  
Tantum, non Naufragiis enatavit, sedata  
Hieme figit Anchoram in Re lauta,  
Sereno Senectutis Otio respiravit, expiravit.

Dugdale's Baronage, Vol. II. P. 445.

(k) On the Question of passing the Bill, Sir Francis <sup>Far</sup> ~~Sir Francis~~ Seymour, were Tellers for the No, 89; Sir Barrington and Sir Robert Harley, for the Yea, 125.

Printed Journals, Vol. I. P.

An. 22. James I. point a Time for the same, with what Expedition  
 1624. they conveniently may; whereupon a Committee  
 was then named for that Purpose.

*May 15.* The Archbishop of *Canterbury* reported to the House, ‘That he, and the other Lords appointed, had waited on his Majesty, to acquaint him with the Judgment against the Earl of *Middlesex*, and humbly desired him to send to the said Earl for the Staff, &c. and that his Majesty answered, That he would do so.’

Report of a Conference there-upon;

*May 19.* A Report was made, by the Archbishop of *Canterbury*, of a Conference with the Commons, touching a Complaint against the Bishop of *Norwich*, to this Effect:

‘That the Commons had received a Complaint exhibited against the said Lord Bishop, by the Citizens of *Norwich*: And, to shew that it was ordinary for the Commons to complain against the Governors of the Church, divers Records of Parliament were cited; *Annis 18. Ed. III. 35. Ed. III. 50. Ed. III. 17. Rich. II. and the 11. Hen. IV.* which were cited to satisfy tacit Objections for their medling with a Cause of this Nature.’

Articles of the Charge against him.

‘That the Charge against the said Bishop consisted of six Parts.’

I. ‘That he inhibited or disheartened Preachers on the *Sabbath Day* in the Forenoon.’

II. ‘That Images were set up in the Churches, and one of the *Holy Ghost* fluttering over the Font; that a Marble Tomb was pulled down, and Images set up in its Room, and the Bishop blessed them that did it.’

III. ‘That he punished those who prayed not towards the East.’

IV. ‘That he punished a Minister for catechizing his Family, and singing of Psalms.’

V. ‘That he used Extortion many Ways.’

VI. ‘That he did not enter Institutions, to the Prejudice of Patrons.’

‘To the first Article it was said, That there were thirty-four Churches in *Norwich*; in those Parishes

Parishes 30 or 40,000 People : That the Lord Bi-  
shop sent for the Preachers, by the Apparitors, and  
told them, There was no Need of Preaching on  
**Sunday** in the Forenoon, except in the Cathedral  
Church ; altho' two or three thousand could only  
hear there ; many dwelling three Quarters of a  
Mile off, and many were old, and not able, for  
their Age, to come so far.  
An. 21. James I.  
1604.

‘ That the Inhibition was when the King had  
commanded more Preaching, that his Lordship con-  
nived at Recusants, all which was the dishearten-  
ing of the good Professors. It may be he allowed  
Of Catechizing ; *ergo*, no Preaching necessary : But  
he commanded to ask bare Questions, and nothing  
else ; *ergo*, no Instructions.’

‘ That this is done against the Canons of the  
Church, and that there is no Obedience without  
Knowledge. The outward Man is not conform-  
ed, unless the inward Man be reformed ; and cited  
the Canon, *Quicunque contristaverit Doctorem Veri-  
tatis peccat in Chr. stum* ; with the Canon, 1. *Jacobi*,  
*Cap. 45.* for commanding Preaching.’

‘ For the second, touching the setting up of Images.

‘ It was said to be against Acts of Parliament,  
against the Canons of the Convocation, the Book  
allowed in the Time of Hen. VIII. 28. Hen. VIII.  
*Cap. 30.* against Images, Pilgrimages, &c. against  
the 3. Ed. VI. and the Homilies approv'd, *Anno. I.*  
*Eliz.* forbidding Images in Churches.’

‘ The third, for Prayer to the East.’

‘ Which *Gratian* affirms came by Tradition,  
*Pars 1. Decr. 11.* And that it is superstitious,  
*Linwood* in the *Glosses*, *Lib. 2. Tit. de Feris. Non  
refert si versus Orientem, &c.* That the Bishop  
excommunicated many, and enjoined Penance unto  
divers, for praying to the East ; and some did their  
Penance with a withy Rod in their Hand ; the  
Proof thereof is under the Bishop's Hand.’

‘ The fourth.’

‘ One Peck, a Minister, catechized his Family,  
and sung Psalms, his Neighbours coming in, of a  
**Sunday** after Evening Prayers. The Bishop en-  
joined

An. 22. James I. 1624. joined them to do Penance, for this their resorting to catechize and sing Psalms, and to say, *I confess my Errors, &c.* which Acknowledgement is under the Bishop's Hand. They who refused, were excommunicated, and paid 7 l. Charges. And it was particularly observed by the Commons, that this Peck was a conformable Preacher.'

' Fifthly, Touching Extortion.'

' It was shewn; That, in the Table of Fees, there is set down, for Institution 24 s. 8 d. whereof to the Bishop 10 s. That this Lord Bishop is Register also, and now himself, taketh; for Institution, 3 l. 5 s. and, for united Churches, double; and that, *communibus Annis*, there are an hundred Institutions.'

' For Admission into sacred Orders, nothing should be taken; if any, it is *Simony*: Yet this Bishop taketh now 29 or 30 s. the Bishop and Register being all one. To serve Cure, 5 s. is due; he takes 6 s. 8 d. To teach School, 3 s. 4 d. is due; he takes 6 s. 8 d. and, if of Ability, 10 s. For every Consignation of a Decree 4 d. which comes to 3 l. *per Annum*, for which there should be nothing paid; no Consignation being in the Table, but set down in Archbishop *Whitgift's* Time, in another Hand.'

' Sixthly, Touching the entering of Institutions.'

' That the Institutions to Benefices are not registered; which overthrows the Patronages, if it be return'd *Scrutatis Archivis non inventur*, when the Right comes in question; yet the Fees are greater than before.'

The Commons concluded with these two Remembrances.

' The first, That they received this Complaint before *Easter* last; yet they proceeded not in the Examination thereof till they received a Certificate from the Mayor of *Norwich*.'

' The second, That none shall be punished for complaining in Parliament.'

This Report being ended, the Bishop of *Norwich* stood up in his Place, and answered the same to this Effect:

*Firſt,*

\* First, His Lordship confessed the Charges in An. 22. James I.  
 he said Complaint to be so great and grievous, that,  
 were he guilty thereof, he would desire, himself, to  
 Be punished: But, whether he be guilty, or not,  
 He will leave to their Lordships exact and severe <sup>The Bishop of</sup>  
 Examination; wherein he desired them not to fence.  
 Norwich's De-  
 Spare him, and he would ever acknowledge and  
 commend their Justice and Honour.'

\* His Lordship protested he was no way guilty  
 of the first Part of this Accusation; if he were,  
 then he was unworthy to bear the Name of a  
 Clergyman. He shewed the Unworthiness of such  
 as should dishearten Preachers from preaching the  
 Word of God. His Lordship shewed also, desiring  
 first that he might not be taxed with Ostentation,  
 his own Practice in preaching, whilst he was Vicar  
 and Parson: That he preached every Sabbath in  
 the Morning, and catechized in the Afternoon;  
 and that he continued the like Preaching whilst he  
 was Bishop of Chichester: That in Norwich he never  
 miss'd the public Place, and ever preached there a-  
 gainst Popery; tho' he had been an unprofitable,  
 yet he had not been an idle Servant; which was  
 now his only Comfort.'

\* As touching Preaching and Non-residence, he  
 had been reckoned more than half a Puritan: He  
 told them of his Manner of living, and his leaving  
 the Archbishop of Canterbury's Service that he might  
 go to his Cure. He wondered why he should be  
 thought a Papist; he thought it might be owing to  
 his Disputations, and his Sermons at Paul's Cross,  
 on Predestination negative, unadvisedly preached by  
 him; for which he was checked by Archbishop  
 Whitgift, and commanded to preach no more of it;  
 and he never did, tho' Dr. Abbot, late Bishop of  
 Sarum, hath since declared in Print that which he  
 then preached to be no Popery.'

\* That Popery is a Fire that will never be quiet,  
 he hath preached a thousand Sermons; and nothing  
 of Popery can be imputed to him out of any of  
 them. That there were divers Obstacles to keep  
 him from Popery.

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An. 22. James I. 1624. 1. ‘The Usurpations of the *Pope* of *Rome*. His Lordship affirm’d, That no Power on Earth can touch a Prince; and therefore he abhorred the Usurpation of the *Pope* over Princes.’

2. ‘Their Religion is dyed in Blood.’

3. ‘The practic Course of their Religion is all by juggling and feign’d Miracles; of which his Lordship had writ a Book against them, which was never as yet answered. That he never spake with Priest or Jesuit, nor never invited a known Recusant to his Table; for they never say *Amen* to our Prayers.’

4. ‘That their Equivocations are the last; worse than which nothing can be; his Lordship held it much better to take on with the Devil than with such. Then he profess’d himself to be a true Member of this Church, and acknowledged the Church of *England* to come nearest to the primitive. That we fetch not our Reformation from *Wickliff*, *Huss*, and *Luther* of latter Times, but from the first four hundred Years next after Christ.’

I. ‘As touching the first Part of the Accusation.’

‘His Lordship confessed, That six or seven of the abler Sort of Ministers in *Norwich* used to expound, in their own Churches, before the Sermon began in the Cathedral Church; and many resorted from other Places to these Expositions, (for all the Churches have not Preachers) and in the Afternoon to their Sermons. The Preachers themselves found Fault with this, being willing to be rid of the Pains, for they were to preach in the Afternoon and on the Week-Days, and shewed him many Disorders therein, which they pretended; as the cutting off Part of the Prayers, or their beginning so early, that many could not come to the common Prayets, and the like; and they besought his Lordship to remedy it, because they, being stipendiary Men, were loth to do it, for fear, belike, to lose their Stipends; whereupon he sent for them by an Officer, and willed them to omit these Expositions in the Forenoon; and yet he had since taken Order for the erecting of three Sermons in the most remote Parts of the City from thence.

Cathedral Church ; and he also had erected many Lectures in several Places of the Country.' An. 22. James I.  
1624.

II. 'As touching the Images in a Church.'

'What was done was done without his Knowledge ; it was meant by St. Peter's Church : That his Lordship never saw that Church till one Evening as he came by ; and being informed of much Cost done upon it, he went in, and kneeled down to his Prayers, as his Use was. When he rose up, and perceived that they had bestowed very great Cost, and not seeing or knowing of any Image at all set up there, he said, *God's Blessing on their Hearts that had bestowed such Cost on God's House.*'

III. 'As touching Prayers to the East :

'He never enjoined it, nor heard of it till now.'

IV. 'For the fourth Part of his Complaint :

'He perceived that he had been listed thro' the whole Course of his Life ; that this Peck was sent to him by the Justices of the Peace, for keeping an Assembly late at Night at his House ; his Catechizing being but a Colour to draw them thither. That this Peck had infected the Parish with strange Opinions ; as not to kneel when they came to Church ; that the Name of Jesus is no more than a common Name, and that it is Superstition to bow down at it. His Lordship affirmed that this Peck had formerly been convicted of Nonconformity, Annis 1615 et 1617 ; also, for Simony and Conventicles in his Neighbour's House, as appears , by an Act in the Register.'

'That Anno 1622, he was taken in his House with twenty-two of his Neighbours, at a Conventicle ; that he was then bound over by a Justice and brought to his Lordship, and his Sentence against him was, only, that he should confess his Fault.'

'The others, mentioned in this Part of the Charge, were punished for their Opinions also ; making no Difference between an Alehouse and the Church, till the Preacher was in the Pulpit said, he must confess his Fault, That is

An. 22. James I. <sup>1624.</sup> nance which he enjoined, he caused them to confess their Errors, omitting their Resort to Conventicles, which he did at their own earnest Suit.'

V. ' His Lordship absolutely denied that he imposed any Fees, and affirmed that he had not any of those Fees which were complained of ; only, the Fees for Institution, which he took as his Predecessors did. If therein he had committed any Error, *Erravimus cum Patribus*; and denied that he had ever seen that Table of Fees which is spoke of by the Commons.'

VI. ' His Lordship affirmed, That he had registered all the Institutions.'

When the Bishop had ended his Defence, his Royal Highness the Prince stood up and told him, ' That he had not answered concerning the Paraphrase of the *Catechism* which he had taken away.' To which the Bishop replied, ' That the Preachers used to chuse a Text from the *Creed*, &c. and to ask the Child some one Question, and then to dilate very long upon it, but never descended to the Capacity of the Child. That he did not forbid the Explanation, but ordered that it should be done catechetically.'

We may suppose that the Lords were very willing to be rid of this Affair, for an Order is entered, immediately after the Bishop's Answer, ' That, in respect of the Shortness of Time and the Multiplicity of Business, now depending to be determined, the Complaint of the Commons, against the Lord Bishop of *Norwich*, shall be referred to the High Commission Court, to be examined by them ; and they to make Report thereof to the House, and then the House will judge of it.'

The same Day the Bishop of *Norwich* exhibited a Complaint to the House against one *Thomas Stokes*, Clerk.

*His Complaint to the Lords against one Thomas Stokes,* ' That whereas the said *Thomas Stokes* had presented a Petition to the House of Commons against his Lordship, for excessive Fees, pretended to be taken by his Lordship, and for other Grievances therein

therein mentioned. He acknowledged the Proceedings of the said *Stokes* to be legal, and humbly submitted himself to an Examination and strict Trial. However, he complained that the said *Stokes* had sent his Lordship this Message: That if he would suffer a Judgment in the Court of Common Pleas for him, the said *Stokes*, to be Archdeacon of *Norfolk*, that then *Stokes* would prosecute no further against his Lordship; otherwise, he would smock him with more Complaints. Moreover, that the said *Stokes* reported that his Lordship did drink a Health to *Spinola*, and refused to pledge a Health to the Prince of *Orange*, for that the said Prince was a General unto Traitors. Lastly, That *Stokes* affirmed his Lordship did take thirty Pounds of every one of the Archdeacons when he came first to his See. All which his Lordship affirmed to be false.

This Complaint, with the Witnesses the Bishop produced to prove it, was referred to the Examination of the Archbishop of *Canterbury*, who was to make Report thereof to the House for their Judgment of the Matter.

But we hear no more of this Affair, or the former, in the *Journals*, or elsewhere; for neither *Wilson* nor *Rushworth* mention one Word of it. This Bishop of *Norwich* was *Samuel Harsnet*, who *Le Neve* tells us had been guilty of several scandalous Practices, whilst he was Master of *Pembroke Hall* in *Cambridge* (1). By his Answer, he seems to clear himself from the Commons Complaint against him; which, by the bye, is somewhat extraordinary, and would not have been suffered in the last Reign. He came into higher Favour, at Court, in the next; for in the Year 1628, he was made Archbishop of *York*. But to return to our Proceedings.

The same Day, still, a Message was brought from the Commons to the Lords, by Sir *Edwin Sandys* and others, to this Effect:

‘That the Knights, Citizens, and Burgeses, in the House of Commons assembled, understanding that

(1) *Le Neve's Lives of the Protestant Bishops.*

An. 2d. James I.  
1624.

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An. 22. James I. that his Majesty's Pleasure is to put an End to this  
1624. Session on Saturday next, the 22d Instant, within

The Commons  
desire a longer  
Continuance of  
the Session.  
which short Time, neither that House nor theirs  
can perfect those Businesses which are begun; they  
do humbly desire their Lordships to join with them  
in Petition to his Majesty for a longer Time.'

*First,* ' For that the King permitting them to name their own Treasurers, for the *Subsidy* this Parliament, much longer Time hath been spent in that Bill than usual, because they had no Precedent for the same; whereby many good Bills were delayed.'

*Secondly,* ' For that the Business of free Trade, which had been long disordered, had brought many general Complaints unto them; not only by the Merchants, but by the Clothiers and those of the meaner Sort. Which, if they have longer Time, they hope so to accommodate, that it shall be advantageous, to the King's Profit, and give Content both to the Poor and to the Rich.'

*Thirdly,* ' The Bill for the *Subsidy* of the Clergy was but newly come into their House, and their own Bill of *Subsidy* is yet to have another Reading.'

*Lastly,* ' For that they understand that their Lordships have so many Bills, and other Matters of Weight, as yet depending, that they doubt whether they can perform them in so short a Time. Wherefore, and to hold that fair Correspondence, which hath hitherto continued between both Houses, they make this earnest Request; not intending to entertain any new Matters, but those, only, which are begun and ready to be finished.'

The Messengers being withdrawn, his Highness the Prince signified unto the House, ' That at his coming from the King, his Majesty told him that he was determined to end this Session on Saturday next; and commanded his Highness so to answer them who should move to have that Time prolonged. But what his Majesty would do therein, when he shall hear these Reasons, his Highness said he knew not.' Whereupon, the House humbly besought

## Of E N G L A N D. 321

**be** sought the Prince to move his Majesty to give a longer Day.

An. 22. James I.  
1624.

The Messengers were then called in and answered, ‘ That the Lords do take in good Part their Willingness to hold good Correspondency with them, and have weighed the general and particular Reasons expressed, for a longer Day of Continuance of this Session: But they have received such absolute Directions from his Majesty for the End of this Session, at a Day now so near at Hand, that they cannot give the Commons any Hope of obtaining a longer.’

‘ Yet, considering that his Majesty knew not of these Reasons, their Lordships have entreated the Prince to move him for a longer Day. What this will produce they know not; wherefore their Lordships will hasten the Dispatch of their own Business, against the Day which his Majesty hath limited, as much as they can, and they doubted not but the Commons would do the like.’

**M**ay 20. The Lords now seemed to be in Haste to expedite the Bills in their House, and the Commons sent up five Bills from theirs, along with this Message: ‘ That they desire a Conference with their Lordships, touching a Petition to the King for removing all justly suspected Recusants from their Offices of Trust.’

Answer was returned, ‘ That they would meet them presently; but, before the Lords went to this Conference, the Prince acquainted the House, <sup>Which the King agrees to at the Request of the Prince.</sup> That his Majesty was content to prolong this Session unto Saturday, May 29, so that his Highness would engage himself that neither of the two Houses would entertain any new Matter in the mean Time; and that he should know, first, the Minds of the Commons therein.’ It was agreed, That this should be intimated to them at the Meeting.

The same Day a Report was made by the Arch-  
bishop of Canterbury of what passed at this Conference, he told the House, That the Commons

## 322 The Parliamentary HISTORY

a. 22. James I. produced an humble Petition to the King, desiring  
 1624. the Lords to join with them in it, as heretofore.  
 Which Petition was read in these Words:

The Commons  
 Petition against  
 Recusants, to  
 which they de-  
 fire the Concur-  
 rence of the  
 Lords.

**W**E your Majesty's loyal and faithful Subjects,  
 the Commons, (by your Royal Authority and  
 Commandment called to and assembled in this pre-  
 sent Parliament, out of all the Parts of your King-  
 dom of England and Dominion of Wales) do, in all  
 Humility, g.ve your Majesty most humble Thanks,  
 that you have so religiously and openly published, that  
 your Laws and A&ts of State against Popish Recu-  
 sants should be put in due Execution. And now we  
 hold it our bounden Duty (amongst other the important  
 Affairs of your Realm) to inform your Majesty of  
 the Growth of this dangerous Sort of People within  
 this your Kingdom, and of their Insolency and Bold-  
 ness in all the Parts thereof, insomuch as many of  
 them (unknown to your Majesty) have crept into Offi-  
 ces, and Places of Government and Authority under  
 you, to the disheartning of your good Subjects, and  
 contrary to your Majesty's Laws and A&ts of State;  
 whose Names (in Discharge of our Allegiance and  
 Duty, without Respect of Persons) we, in all Hum-  
 bleness, present to your Majesty.

The NAMES of all such PERSONS as are certi-  
 fied to have PLACES of CHARGE or TRUST -  
 in their several COUNTIES, and are themselves  
 POPISH RECUSANTS or NON-COMMUNI-  
 CANTS, that have given overt Suspicion of  
 their Ill-Affection in RELIGION, or that are  
 reported or suspected so to be.

The Rt. Hon. Francis Earl of Rutland is cer-  
 tified to be Lord Lieutenant in the County of Lin-  
 coln, and a Commissioner of the Peace and Custos  
 Rotulorum in the County of Northampton, and  
 Commissioner of the Peace, and Oyer and Termin  
 in Yorkshire, and in other Counties, and that  
 and his Wife are suspected to be Popish Recuian

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The Rt. Hon. the Earl of Castlehaven is certified to be a Commissioner of the Peace, and of Oyer and Terminer in Wiltshire, and suspected to be ill-affected in Religion, and that some of his Family either are, or lately were Recusants.

Sir Thomas Compton, Kt. is certified to be a Commissioner of the Peace, and of Oyer and Terminer in Warwickshire, and he and the Countess his Wife are certified, by Fame, to be suspected to be Popish Recusants.

The Rt. Hon. Henry Lord Herbert is certified to be a Commissioner of the Peace in Monmouthshire, and to favour the Popish Religion, and to forbear the Church.

The Rt. Hon. the Lord Petre is certified to be a Commissioner of the Peace in Essex, and, by Report, that he cometh not to the Church nor receiveth the Communion; and that his Wife and Family are generally suspected to be Popish Recusants.

The Rt. Hon. Henry Lord Morley is certified to be a Commissioner of the Peace in Lancashire, and to be suspected to be a Popish Recusant.

The Rt. Hon. the Lord Viscount Colchester is certified to be a Commissioner of the Peace in Essex, and, by Report, that he cometh not to the Church, nor receiveth the Communion.

The Rt. Hon. the Lord Windsor is certified to be a Commissioner of the Peace in Buckinghamshire, and, by common Fame, to be a Popish Reculant.

The Rt. Hon. William Lord Eure is certified to be a Justice of the Peace in the County of Durham, and to be a Popish Reculant convicted.

The Rt. Hon. the Lord Wootton is certified to be in Place of Authority in Kent, and that he and his Wife do forbear the Church, and are justly suspected to affect the Roman Religion.

The Rt. Hon. the Lord Teynham is certified to be a Commissioner of the Peace in Kent, and, by common Report to be a Popish Recusant.

The Rt. Hon. the Lord Scroope is certified to be a Lord Lieutenant of the County of York, of the City of York, and of Kingston upon Hull, and to be

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An. 22. James I. 1624. a Commissioner of the Peace, and of Oyer and Terminer in the said Counties, and in sundry other Counties; and that his Lordship hath not received the Communion once every Year in the last three or four Years; and that his Lordship hath given overt Suspicion of his Ill-Affection in Religion, by his Departure from the Communion on sundry Days when his Majesty's Council there resident, and others of the Congregation, stayed behind to receive the same, sometimes on Easter-Day, and sometimes on the 5th Day of November; and it is testified by Witnesses, that the Lord Archbishop's Grace of York, and others of his Majesty's Council there resident were present, and did receive the Communion once when his Lordship went away; and that his Lordship doth rarely repair to the Church on Sundays and Holidays in the Forenoon, and not above twice to the Afternoon Sermons, whereunto former Lord Presidents, with his Majesty's Council there residing, have frequently repaired, and whereunto the Council now there resident do ordinarily repair since he was made Lord President; whereof Notice is taken by all his Majesty's Subjects in those Parts, to the great Grief of such as are truly affected in Religion.

Sir William Courtney, Kt. is certified to be a Commissioner of the Peace and a Deputy Lieutenant in Devonshire, and is a Colonel of a 1000 train'd Soldiers of that County, and is Vice-Warden of the Stannaries, and that he is suspected to be a Popish Recusant, and that he hath not received the Communion in many Years last past.

Sir Thomas Bruderell, Kt. is certified to be a Commissioner of the Peace, and Deputy Lieutenant in Northamptonshire, and that he is a suspected Recusant.

Sir Thomas Somerset is certified to be a Commissioner of Oyer and Terminer in Gloucestershire, and that he is reported to be a Popish Recusant.

Sir Gilbert Ireland, Kt. and Richard Sherborn, and John Fleming, Esq; are certified to be Commissioners of the Peace in Lancashire, and that they are suspected to be Popish Recusants.

Sr

Sir Francis Stoner, Kt. is certified to be a Justice An. 22. James I.  
of the Peace, or a Deputy Lieutenant, or both, in 1624.  
Oxfordshire, and to be a Popish Recusant.

Sir Anthony Browne, Kt. is certified to be a Commissioner of the Peace in the County of Norfolk, and that he is reported to be a Popish Recusant.

Sir Francis Howard, Kt. is certified to be a Justice of the Peace and Custos Rotulorum in Surrey, and is suspected to be ill-affected in Religion.

Sir William Powell, Kt. is certified to be a Justice of the Peace in Staffordshire, and to be a Non-Communicant, and that his Wife cometh not to Church.

Sir Francis Lacon, Kt. is certified to be a Justice of the Peace in Shropshire, and that he is suspected to be a Popish Recusant.

Sir Lewis Lewkner, Kt. is certified to be a Commissioner of the Peace in Middlesex, and that he and his Wife are suspected to be Popish Recusants.

Sir William Aubrey, Kt. is certified to be a Commissioner of the Peace in Brecknockshire, and that he is reported to be a Popish Recusant.

William Jennison, Esq; is reported to be a Commissioner of the Peace in Newcastle upon Tyne, and that he is suspected to be Popish and backward in Religion.

Sir John Gage and Sir John Shelley, Barts. and John Thetcher, Esq; are certified to be Commissioners of the Sewers in the County of Sussex, and to be known Papists.

Sir Henry Caryll is certified to be a Captain of a Foot-Band in the County of Norfolk, and a Commissioner of Sewers, and that he is reported to be a Popish Recusant.

Sir Thomas Wiseman, Kt. Son of Sir Thomas Wiseman, Kt. that is a Justice of Peace, is certified to be a Captain of a Foot-Band in Essex, and to be a profes'd Papist.

Sir Thomas Gerard, Kt. is certified to be a Captain of a Company of the Freehold-Band in Lancashire, and that he is suspected to be a Popish Recusant.

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An. 22. James I. 1624. Sir John Philpot, Kt. is certified to be a Captain of a Foot-Company in Hampshire, and that he and his Wife and Children are Papists.

Sir Thomas Russel, Kt. is one of the Deputy Lieutenants, and a Justice of the Peace in the County of Worcester, and is justly suspected to be a Papist.

The NAMES of all such PERSONS who are certified to be in PLACES OF CHARGE OR TRUST, in their several COUNTIES, and that have Wives, Children, and Servants, that are POPISH RECUSANTS or NON-COMMUNICANTS, or that are suspected or reported so to be.

Sir Henry Beddingfield is certified to be a Commissioner of the Peace, and a Deputy Lieutenant in Norfolk, and Captain of the Lances there, and that his Wife and Children are reported to be Popish Recusants.

Sir William Wray, Kt. is certified to be a Deputy Lieutenant in Cornwall, and that his Wife is a Recusant.

Sir John Conway, Kt. is certified to be a Commissioner of the Peace, and one of the Deputy Lieutenants in Flintshire, and that his Wife is held to be a Popish Recusant.

Sir Charles Jones, Kt. and William Jones, Esq; are certified to be Commissioners of the Peace and two Deputy Lieutenants in Monmouthshire, and that their Wives are Recusants.

Sir Ralph Conyers, Kt. is certified to be a Commissioner of the Peace and Deputy Lieutenant in the Bishoprick of Durham. and that his Wife is generally reported to be a Popish Recusant.

Sir Thomas Lamplugh, Kt. is certified to be a Commissioner of the Peace in Cumberland, and that his Wife is a Recusant.

Sir Thomas Savage, Kt. and Bart. is certified to be a Commissioner of the Peace in Cheshire, and that his Wife is suspected to be a Recusant. and, by common Fame, it is reported, that the said Sir Thomas

mas Savage is a Deputy Lieutenant there, and that he is suspected to be a Non-Communicant, and his Children are suspected to be Recusants.

Sir William Masley, Kt. is certified to be a Commissioner of the Peace in Cheshire, and that his Wife is a Recusant.

Sir Hugh Beston, Kt. is certified to be a Commissioner of the Peace, and that his Daughter and Heir apparent is a Recusant.

Sir Thomas Liddell, Kt. is certified to be a Commissioner of the Peace for the Bishoprick of Durham, and that his Wife is a Popish Recusant.

Thomas Petre, Esq; Brother of the Lord Petre, is certified to be a Commissioner of the Peace in Essex, and that his Wife and Family are suspected to be Recusants.

Sir Marmaduke Wyvill, Kt. and Bart. is certified to be a Commissioner of Oyer and Terminer, and lately made one of his Majesty's Council in the North, and that his Wife is a Popish Recusant convicted.

Sir John Townshend, Kt. is certified to be a Commissioner of the Peace in the County of Hereford, and that his Wife is reported to be a Papist.

Sir William Norris, Kt. is certified to be a Justice of the Peace in Lancashire, and that he hath a Daughter that is a Recusant, and that he hath two Sons that do serve under the Archduchess.

James Anderson, Esq; is certified to be a Justice of the Peace in Lancashire, and that his Wife and his eldest Son are apparent Recusants.

Edward Morgan and George Milbourn, Esqrs. are certified Commissioners of the Peace in Monmouthshire, and that their Wives are Recusants.

Sir Philip Knevitt, Bart. is certified to be a Justice of the Peace in Norfolk, and that his Wife is a Recusant.

Sir John Tasborough, Kt. and Anthony Hobart, Esq; are certified to be Commissioners of the Peace in Norfolk, and that their Wives are reported to be Recusants, and Mr. Hobart's Children are popishly educated.

Sir

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An. 22. James I. 1624. Sir William Selby, Kt. and Cuthbert Heron, Esq; are certified to be Commissioners of the Peace in Northumberland, and that their Wives are Recusants.

Sir Richard Tiebbourne, Kt. is certified to be a Commissioner of the Peace in Hampshire, and that his Wife is of the Popish Religion.

Sir John Hall, Kt. is certified to be a Commissioner of the Peace in Hampshire, and that his Wife and her Daughter are Papists.

Sir George Perkins, Kt. Robert Peirpoint and Fulke Cartwright, Esqrs. are certified to be Commissioners of the Peace in the County of Nottingham, and that their Wives are thought to be Recusants.

Thomas Oatley, Esq; is certified to be a Commissioner of the Peace in Shropshire; and Richard Gibbons, Gent. to be a Coroner there, and their Wives be Recusants.

Rice Williams, Esq; is certified to be a Commissioner of the Peace in Caermarthenshire, and that his Wife is a Popish Recusant committed.

Sir Thomas Penruddock, Kt. is certified to be a Commissioner of the Peace in Middlesex, and that his eldest Son is a Recusant.

Valentine Saunders, Esq; is certified to be a Commissioner of the Peace in Middlesex, and that his eldest Son is a Recusant.

Thomas Rochell, Esq; is certified to be a Commissioner of the Peace in St. Edmundsbury, Suffolk, and that his eldest Son is reported to be a Popish Recusant.

Anthony Thorold, Esq; is certified to be a Commissioner of the Peace in Lincolnshire, and that he hath a Son that is suspected to be a Popish Recusant.

Sir Nicholas Saunders Kt. is certified to be a Commissioner of the Peace in Surrey, and his Wife is suspected to be a Popish Recusant.

Now, in consideration of the great Countenance hereby given to Popery, the great Grief and Offence to all your best affected, true, and loving Subjects, the apparent Danger of the whole Kingdom,  
by

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by putting the Power of Arms into such Hands as, by An. 22. James I.  
former Acts of your Majesty's Council, are adjudged 1624.  
Persons justly to be suspected, and themselves fit to  
be disarmed. Your said loyal and faithful Subjects  
do most humbly beseech your Majesty, graciously to  
vouchsafe that the said Lords and Gentlemen above  
named, for these important Reasons, and for the  
greater Safety of your Majesty, and of your Realm  
and Dominion, may be removed from all your Ma-  
jesty's Commissions of great Charge and Trust, Com-  
missions of Lieutenancy, Oyer and Terminer, and of  
the Peace, and from all Offices and other Places of  
Trust.

This Petition being read, the Lords deferred the Debate thereon, for that Time, because the Day was far spent ; but gave an Answer to the Messengers who attended for the same, That they would consider of the Petition, and would send them an Answer when they were resolved of it. The Commons returned the Lords Thanks, and said, their House had made an Order to receive no more Bills, or entertain any more new Business this Session. The same Order was made by the Lords.

May 21. This Day the Petition of the Commons, for displacing Popish Recusants, was read a second Time ; and, after some Debate, an Answer was resolved on to be given to the Commons about it. Accordingly a Message was sent by the Lords to desire another Conference ; and, in the mean Time, the Answer was put into Writing, and read to the House in *hæc Verba* :

• That we take great Contentment in the Con- The Answer of  
currence which has been between the two Houses, the Lords con-  
cerning the said  
• from the Beginning of this Session, and which  
• we doubt not but shall continue to the End.

• That what hath been desired in your Petition,  
concerning Popish Recusants, is wholly allowed  
and approved of ; our Hearts do go along with  
what is propounded by the Commons.

• But

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An. 22. James I. 1624. ‘ But that our Way in Judicature, as they know,  
‘ is, to proceed upon Oath, and to hear the Party’s  
‘ Defence, which the Shortness of Time in this  
‘ Case, can by no Means permit. That if we  
‘ should publickly go in a Committee of both  
‘ Houses to the King, we should strike deep into  
‘ the Reputation of the Parties concern’d, and give  
‘ his Majesty, and the whole World, Occasion to  
‘ think, That we did both judge and condemn be-  
‘ fore we had heard.

‘ Notwithstanding, we do incline, if they like  
‘ of it, to move his Highness the Prince, privily to  
‘ acquaint his Majesty with this as with a Matter of  
‘ State; not doubting but that his Majesty will  
‘ take it into his grave and prudent Consideration;  
‘ so that such Effect, as we trust, is like to follow,  
‘ as will give us all good Contentment.’

This Answer was approved of by the other House, at the Conference; who rendered their most humble Thanks to the Prince, ‘ That he was pleased, as of himself, to intimate their Requests unto his Majesty; and that they hoped it would receive a gracious Answer.’

The Subsidy Bill passed by the Commons.

Nothing was now done in either House for several Days, but expediting the Bills they had before them. On the 24th of May, the Bill for granting an Aid to his Majesty of three entire Subsidies, and three Fifteenths and Tenth, was sent up by the Commons; and, the next Day, on the second Reading of this Bill, before it was committed, the Judges were appointed by the House to consider of some Points of Judicature in the said Bill, and to deliver their Resolutions about it.

May 26. The Lord President of the Council reported to the House, That the Judges had given in their Resolutions, concerning some Questions arising on the Bill of Subsidies; which was read in the House as follows:

‘ Re-

‘ Resolved, by general Consent, That, upon An. 22. James I.  
the Perusal of several Parts of the Act of Subsidy, 1624.  
they do not conceive that there is any Thing there-  
in, which may impeach or blemish the Privilege or <sup>The Judges Op-</sup>  
Power of the Higher House, or add to the Priva- <sup>nions on some</sup>  
leges of the Lower, in any Thing; save, in the <sup>Clauses thereof,</sup> <sup>in point of Pri-</sup>  
particular Case in question, and in no other Case, <sup>vileges.</sup>  
of the like or other Nature; and that for these  
Reasons:

‘ *First*, Because the Judicature, in this particu-  
lar Case, is not assumed, by the way of Privilege,  
to beget a Precedent, but, by way of an Act; which  
taketh Effect, not only by themselves, but by the  
Lords, and by the Royal Assent of the King.’

‘ *Secondly*, Because the Ground of this Act pro-  
ceeded, originally, from the gracious Proposition of  
his Majesty himself (*e*), and that Proposal is men-  
tioned in the Act itself; so that there is nothing to  
be drawn from this Act to ground the like on here-  
after, unless it be upon the same Proposition from  
the King, with the Consent of the Lords, who  
must fully assent unto it.’

‘ *Thirdly*, The Words, *That the Lords shall  
have Power by virtue of this Act*, are not privative  
to any former Power of the Lords, and are conveni-  
ent in this particular Case, where the Offence is new;  
for, before this Act, there was neither Punishment  
for this Offence, nor the Offence to be punished.’

‘ *Fourthly*, The reserving the Punishment of  
those, who, at this Time, are Assistants to the Higher  
House, is no Derogation to that House; for they  
have no inherent Right of being Assistants, as the  
Lords have of being Members of the House; and  
this is done by Bill wherein the Lords join.’

‘ *Fifthly*, For that the Lords are join’d with the  
Commons in the Commission, the Account is to be  
joint; and therefore it is not possible to sever them  
from the Commons because the Account would be  
lame and ineffect.’

‘ All which the Judges humbly submit to their  
Lordships Judgment.’

These

(e) See before, P. 95.

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An. 22. James I. These Resolutions were approved of by the  
1624. House; but the Lords thought fit to enter a Protestation in their *Journal Book*, before the *Subsidy Bill* was read a third Time; which was to this Purpose:

The Protestation of the Lords in consequence thereof.

Forasmuch as this present *Act* of Subsidy from the Temporality, is, in many Things, different from the ancient usual Form of a Subsidy *Bill*; and because something contained in the said *Act*, may, in Time to come, be construed either to lessen the Jurisdiction of the one House, or add to the Jurisdiction of the other, more than hath been used, or heretofore admitted: Therefore the Lords, Spiritual and Temporal, in the Higher House of Parliament now assembled, do hereby declare and pronounce, and cause this Protestation to be entered on Record in the Rolls of this Parliament.

That no Words, Matter, or Thing, in this *Act* contained, shall hereafter be taken or construed to give or take any Jurisdiction, Power, Privilege, or Authority, to or from either of the said Houses of Parliament; but that either of them shall, severally and dividedly, hold, use, and enjoy such and the same Liberties, Privileges, Powers, and Jurisdictions as, heretofore, they, or either of them, respectively had; any Thing in this *Act* to the contrary notwithstanding.

It may not be amiss, in this Place, to look back into the *Journals* of the Commons, this Session, for the first Motions of a Supply in that House. We are told that the King's Demands to support the State, in case of a War with Spain, &c. on the Breach of the Treaties, was a Supply of six *Subsidies* and twelve *Fifteenths*. A mighty Sum to be raised all at once on the Subject.

Account of the Debate on the Subsidy Bill in the Commons.

March 19. The Commons went upon this Demand, and a very long Debate is entered in the subsequent *Journal* of this Session, altogether too tedious for this Design. In one Speech of Sir Edward Coke's, is a Calculation what the whole Sum of such a Grant would amount to. He estimated that one *Subsidy* from the Laity would come to 70,000 l. and a *Fifteenth* to 30,000 l. a *Subsidy*

from the Clergy to 20,000 l. the Total of which, An. 22. James I.  
 multiplied by the Number of them demanded,  
 would amount to 900,000 l. almost a Million,  
 which was more, he said, than all *England* could  
 raise, with any Conveniency.

1624

After almost two Days Debate on this Mauer,  
 the House came to the following Resolution upon  
 the Question, without one negative Voice, ‘ That  
 after his Majesty shall have been pleased to declare  
 himself for the utter Dissolution of the two Treaties,  
 for the Marriage and the *Palatinate*; the House,  
 in Pursuit of their Advice given to his Majesty, and  
 towards the Support of the War which is likely to  
 ensue; and, more particularly, for these four Points  
 proposed by his Majesty, namely, the Defence of  
 this Realm; the securing of *Ireland*; the Assist-  
 ance of our Neighbours, the States of the United  
 Provinces, and other his Majesty’s Allies; with the  
 fitting out of his Majesty’s Royal Navy, will grant,  
 for the present, *three Subsidies*, with *three Fifteenths*  
 and *Tenths*, to be levied in such Time and Man-  
 ner as they shall be pleased afterwards to appoint;  
 and to be paid into the Hands, and expended by the  
 Direction of such Commissioners, as shall hereafter  
 be agreed on in this present Session of Parliament.’  
 And, by a subsequent Resolution, *Nem. Con.* the  
 same Day, it was agreed, ‘ That these *three Sub-*  
*sidies, Fifteenths and Tenths*, shall be paid within the  
 Space of one Year after the King hath declared  
 himself (*f*).’

Remarkable  
Clause, whereby  
the Treasurers  
were to be no-  
minated by Par-  
liament.

Upon the Delivery of this Proposition to the  
 King, it was agreed to by him; afterwards the  
 Treaties were broke, as hath been mentioned, and  
 the Commons went upon framing a Bill to raise  
 the Supply and name Commissioners to be the Ma-  
 nagers of it: Which being a Thing hitherto unpre-  
 cedented, and what no crown’d Head ever granted  
 before, occasioned the Dispute in the Upper House  
 before related.—But to go on with the Lords  
 Journals.

(f) Four entire Subsidies were also granted by the Spirit  
 Statutes at Large, Cap.

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An. 22. James I. May 26. The House continued to proceed with  
1624. the National Business, and to answer private Peti-  
tions and Appeals till the Day before this Session was  
to end ; when, after remitting some Fines, im-  
posed by the House on Offenders, and lessening others,  
the Earl *Marshal*, from the Committee for search-  
ing Precedents to sustain the Privileges, &c. of the  
House, made the following Report ;

Resolutions of the Lords as to Matters of Privilege.  
‘ How far the Privileges of the Nobility do clearly extend, concerning the Freedom of their Servants and Followers from Arrests.’

‘ To all their menial Servants and those of their Family, and also those employed, necessarily and properly, about their Estates as well as their Persons.’

‘ This Freedom to continue twenty Days, before and after every Session ; in which Time the Lords may conveniently go home to their Houses in the most remote Parts of the Kingdom.’

‘ That all the Lords, after the End of this Session, be very careful in this Point, and remember the Ground of this Privilege ; which was, only, in regard they should not be distracted, by the Trouble of their Servants, from attending the serious Affairs of the Kingdom ; that therefore they will not pervert that Privilege to the public Injustice of the Kingdom, which was given them, chiefly, that the whole Realm might, in this High Court, draw the clear Light of Justice from them. In which Case, every one ought rather to keep far within, than any way exceed their due Limits.’

‘ That hereafter, before any Person be sent for in this kind, the Lord whom he serves shall, either by himself or by his Letter, or by some Message, certify the House upon his Honour, that the Person arrested is within the Limits of the Privilege before expressed.’

‘ And, for the Particulars, they must be left to the Judgment of the House, as the Case shall come in question ; wherein the House wants no Means, as well by Oath as without, to find out the true Nature of the Servant’s Quality in his Lord’s Service. Thereupon, if it be adjudged by the House contra-

ry

try to the true Intent, any Member whatsoever must not think it strange, if, in such a Case, both himself suffer Reproof, as the House shall think fit, and his Servant receive no Benefit by the Privilege, but pay the Fees; because the Justice of the Kingdom must be preferred before any personal Respect, and none to be spared that shall offend after so fair a Warning.'

An. 22 James I.  
1614.

'Ordered to be observed accordingly, with this Alteration, viz. This Freedom to begin with the Date of the Writ of Summons, and to continue twenty Days after every Session of Parliament.'

The Earl Marshal also reported, That the Lords of the Committee had thought this Order proper concerning Judicature, viz.

'The Lords of the High Court of Parliament do hold it fit to consider of some Orders for the Trials of such Persons, as shall hereafter be brought before them, and come to Judicature: But the Session being soon to end, at this Time, their Lordships think it fit to declare now in general, That as this Court is the highest from whence others ought to draw their Light, so they do intend the Proceedings thereof shall be most clear and equal; as well on the one Side, in finding out Offences where there is just Ground, as, on the other Side, in affording all just Means of Defence to such as shall be questioned. For the Particulars, they do at this Time order, That in all Cases of Moment the Defendants shall have Copies of all Depositions, both *pro & contra*, after the Publication, a convenient Time before Hearing, to prepare themselves. And also that, if the Defendants shall demand it of the House in due Time, they shall have learned Counsel to assist them in their Defence, whether they be able, by reason of Health, to answer in Person or not, so as they chuse Counsel void of just Exception; and, if such Counsel shall refuse them, they are to be assigned as the Court shall think fit. This the Lordships do, because in all Cases, as well civil, criminal and capital, they hold that all lawful Helps cannot, before just Judges, make one that is guilty avoid Justice; and, on the other Side, according

to

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An. 22. James I. to his Majesty's most gracious Speech, *God defend  
1624. that an innocent Man should be condemned.*

' Likewise for calling a Member of this House to the Bar, their Lordships held it fit to be very well weighed, at what Time and for what Causes it shall be ; and therefore, the Time being now short, Precedents are to be looked out, and this to be considered of at the next Meeting.'

*May 29.* His Majesty being placed on the Throne and the Lords in their Robes, the Commons, with their Speaker, Sir Thomas Crew, were admitted into the Royal Presence. The Speaker came up with great Reverence and low Obeisance to the King, and, being at the Bar, declared,

The Speaker's  
Speech to the  
King at the Close  
of the Session.

' That God, to his own great Glory, had brought this Session of the Parliament, so happily begun, to so happy an End, that both Houses, and every particular Member thereof, hath given their willing Assent, even with one Voice, unto the Advice which his Majesty was pleased so low to descend as to demand of them. As there was not a Hammer heard in the building of the House of God, so, in this great Business, there was not a negative Voice, nor any Jarring amongst them ; but their Time was wholly spent in the Business of Parliament, in which they had prepared many Bills profitable for the Common-Wealth, and shewed the several Natures of those Bills ; some for the Service of God, and Restraint of Recusants ; some to redress the Enormities of the Common-Wealth ; others of his Majesty's Grace and Bounty to his People ; and some concerning the Prince's Highness touching his own Lands ; and others to settle Strife in particular Estates : All which do wait for and humbly desire his Majesty's Royal Assent. He shewed also what great Joy they all received for the Dissolution of the two Treaties with Spain ; and that Commissioners are required to see the Edicts performed against Recusants and Jesuits,

‘ Jesuits, the Locusts of *Rome*, wherein will consist <sup>An. 22. James I.</sup> his Majesty’s chieft Safety. And they do render him humble Thanks for their antient Privileges, which they fully enjoyed this Parliament, [and, in particular, for their Freedom from Arrests] (g) and their so often Access unto his Majesty’s Presence ; and more especially for his Majesty’s general, large, liberal, and free Pardon, shewing the Benefit thereof, and reciting the Particulars. He also presented the Bill of three entire Subsidies, and three Fifteenths and Tenth<sup>s</sup> granted this Session ; and declared the Chearfulness of the Grant thereof. And, making his earnest Prayers unto Almighty God, to direct his Majesty’s Heart to make his own Sword his Sheath to put his Son-in-Law in possession of the Palatinate, the antient Inheritance of his Royal Grand-Children, he ended ; humbly craving Pardon for himself and his own Errors committed this Session.

To which the King gave the following Answer (h).

Mr Speaker, and you the Gentlemen of the Lower House,

I Will begin with the End of Mr. Speaker’s Speech, His Majesty’s which was a Presentation of the Subsidies, and Answer. the Thanks he gave me for allowing you your Privileges and Liberties, together with the free Pardon of his own Weakness.

The Subsidies are granted to my Grand-Children, whose Case, I must confess, is somewhat desperate : I pray God I may see that good End thereof that I wish, for I know not how it may please God to dispose of these Things, whether peaceably, or by Force, it may please

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him

(g) This is omitted in *Rushworth*, but supplied from the *Lords Journals*.

(h) This Speech is most miserably curtail’d in *Rushworth*; nor is it entered at all in the *Journals*, or elsewhere in the printed Historians. We have recovered it from an old Manuscript Collection of Parliamentary Proceedings, in this and the next Reign, communicated by Sir John Napier, of Bradford-on-Avon.

Ad. 22. James I. him to repay unto me the Wrong done unto them. But, 1624. as I said at first, so I pray again, I desire not to live; nay, I wish to God never to have been born, rather than such a Blot should lie on me, as not hope to see a Restoration of the Palatinate, or at least a Possibility of it, before God close up mine Eyes. And I have sworn, that all you have allowed for the Business, shall only and wholly be employed for that End; and, as God shall judge my Soul, I never had any other Meaning, if I had not been bound and limited thereunto. But as, on the other Side, I assure myself, that, as yourselves will confess, here is nothing given for the Relief of my Estate, which all Parliaments were wont to consider of; especially one that has lived in that Necessity, and has had less Supply from my People, than any of my Predecessors, I know not how many hundred Times before: So I assure you, on the other Side, you shall have a new Session in the Beginning of next Winter, that then you may meet together, and consider how to supply my particular Wants; and if you will be careful in this, as I assure myself you will, I will only employ it to the Advancement of such Government among you, as shall become a King, and to the Increase more and more of the Service of God, and restoring the Patrimony of my Children.

For the other Point, I have Reason, and truly, without Complement I do it, to thank you for my own Person, and your particular Behaviour to me at this Time; concerning which I must needs say, that in all this Session, neither in any Days was it heard of; and, I think it is without Example, that ever Lower House sat with that continual Obedience to my Person and Honour; for, in all your Actions, you have given more true Demonstrations hereof, than ever was given heretofore by Lower House: And for Matter of Scandal, it was no sooner moved among you, but it was damped; avoiding all Occasions that might be a Blot of Offence between me and my People; for which, as I said before, so now again, I thank you, without further Complement; and if it shall please you, when you shall return, to go on this Way, this Parliament shall

shall be crown'd with the greatest Happiness that ever An. 22. James I.  
was held by a King. 1624.

But I must admonish you of some few Things, and that I pray you take in good Part And that as touching Grievances, Mr. Sollicitor made mention of some Yesterday, when I was present, as I said to some of you ; so now speak I to all of you, that you be not too ready to hunt out Grievances, where there is no Cause ; for I may say this, and say truly, that I never saw Parliament that had lesser and smaller Matter of Grievances than you have had ; I find most of them to be slight ones, which indeed makes my Heart jovial.

Now, as concerning your Grievances, be careful to present such as shall be general touching the Common-Wealth, Trading, and Corporations ; and as it lies not in your Power to raise and create Grievances, but upon just Cause ; so again you ought not to conclude or determine, and remedy, without first letting me have the Hearing and Allowing of it. I will go thro' all your Grievances, and weigh them fully ; and, when I have done, you shall have a clear Answer to them, such a one as shall be agreeing to Justice, and convenient to meet with the present Necessities of my People.

No Courtier's particular Good shall be preferred to the Subjects Requests in general ; and herein I will not take Advice of myself, but I will canvass the Business with the Help of my Privy Council, and the Judges Counsel of the Law. But now, amongst other Grievances, I must tell you some of my Grievances : One is concerning the Manner and Form of Buildings here in London ; you have made a Grievance of it, and I am justly grieved at it ; for, I protest to God, it hath been my only Aim ever since I came into England, to make the City of London, the Metropolis, the Mother City of England ; that I may say with the Emperor, I had it straminium, but I leave it marmoreum. I care not for the Grudges of many particular Men, that are in very deed a Shame to this Kingdom. I marvel much you should condemn the Commission, without hearing the Commissioners : If they be too strict in their Points, I pray you complain to me, and I will redress it, and give you Ease. God

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An. 22. James I. knows I have no other End therein, but the Welfare  
1624. and Honour of the Kingdom.

Another Cause of Grievance is concerning Dr. Annon, Master of Corpus Christi College in Oxford, whom you have called in question touching Church Matters: You had all of you, at the Beginning of this Parliament, taken the Oaths of Allegiance and Supremacy, whereby you have acknowledged me Supreme Head in Ecclesiastical Matters. I have referred that Matter to the Bishop of Winchester, who is Visitor of that College, upon whose Learning, Gravity, and Piety, I will rely in this Case.

Another Grievance of mine is, that you have condemned the Patents of the Apothecaries in London. I myself did devise that Corporation, and do allow it. The Grocers, who complain of it, are but Merchants; the Mystery of these Apothecaries were belonging to Apothecaries, wherein the Grocers are unskilful; and therefore I think it fitting they should be a Corporation of themselves. They bring home rotten Wares from the Indies, Persia, and Greece; and here, with their Mixtures, make Waters, and sell such as belong to Apothecaries, and think no Man must controul them, because they are not Apothecaries.

Another Grievance is concerning Books seditious and heretical. It is a Shame that England should be the only Place in the World to honour such Books, both Popish on the one Side, and Puritan on the other: But, for this, I will provide there shall be such Overseers, that may prevent their coming into Print, and those that are in Print already, to suppress them. No Man shall be more desirous to fulfil your Desire in this Point than I will.

And lastly, touching my Patents in general, I am grieved that you have called them in, and condemned them upon so short Examination. I confess I might have paid some upon false Suggestion and wrong Information; but you are not to recall them before they be examined by the Judges. And here I have heard it complained of by divers of my learned Counsel in the Law, that you will, from Time to Time, delaying the

## Of E N G L A N D. 341

the Patentees, still call for Patents without just An. 22. James I.  
Ground; and so put the Subjects still to more Charge, 1624.  
and so consequently put a Scorn upon my Patents.

Therefore I advise you to be careful, that you have  
a good Ground before you call for your Patents, that  
you do not defraud the Patentees; hereupon falls out  
that which I spake to the Face of many here present,  
The Lawyers, of all the People of the Land, are  
the greatest Grievance to my Subjects; for when  
the Case is good for neither Party, yet it proves  
good and beneficial to them: Therefore this I say  
to you, when you judge of Patents, hear patiently,  
say not presently 'tis against the Law, for Patents  
are not to be judged unlawful by you.

I must first believe myself and my Council, and  
then you are to give your Opinions of the Conveni-  
ences that may ensue thereupon. And now I pray  
you take in good Part my Thanks and Admonitions  
both; and I assure myself you will take my fatherly  
Admonitions, as well as my Thanks, in good Part, as  
you ought to do from a King, who ever was, and still  
will be the Father of your Country.

\* Then the Lord Keeper spake to the Particulars And the Lord  
of the Speaker's Speech, and, by his Majesty's Com- Keeper's.  
mand, approved them all, alluding the general Con-  
sent of both Houses [*in their Advice to his Majesty*] to the Septuagint, directed by the Holy Ghost; and, touching the Speaker's Desire for the King's Assent to the Bills past both Houses, he said, the Royal Assent is proper to the Lawgiver; and shewed, that it is best for the People that this is in his Majesty's Power, and not in themselves; for the King knoweth what is best to be granted unto his People, as may appear by the Petition that Bathsheba made to King Solomon, to give unto Adonijah Abiag to Wife; which had Solomon granted, he had given Adonijah Means to usurp the Kingdom, contrary to Bathsheba's Meaning; and such is his Majesty's Intent this Day, for such Bills which will not pass. That his Majesty hath given Consent to all the Bills of Grace, and to th

An. 22. James I. of the Continuance of some Statutes, and Repeal  
 1624. of others, so necessary for the Good of the People.  
 That his Majesty accepteth in good part their  
 Thanks for his general Pardon, which he hath so  
 freely granted unto his Subjects: But his especial  
 Command is, That those that are in Office do  
 strictly look to the Execution of the Laws against  
 Reculants. The Subsidies his Majesty graciously  
 accepteth, and therefore imitates not the Story in  
*Macrobius*, of one who had all his Debts paid, and  
 instead of Thanks, answered, *mibi nihil*: Tho'  
 this be given to the *Palatinate*, his Majesty interpre-  
 eth it as given to himself, and rendreth to you all  
 hearty Thanks for the same [As for your own Request,  
*Mr. Speaker*, his Majesty holds it impertinent; there  
 needs no Pardon where no Error is committed]

\* The Lord Keeper having ended his Speech, the Clerk of the Crown stood up and read the Titles of the Bills passed both Houses; and the Clerk of the Parliament read his Majesty's Answer to each Bill, which being done, his Majesty remembred the breaking up of three [*former*] Parlia-  
 ments together, and the happy Conclusion of this Session; and put the Commons again in mind, that at their next Meeting they do so carry them-  
 selves, that this Parliament may be as happily con-  
 tinued to the End.'

After all which was concluded, the Lord Keep-  
 er of the Great Seal, by his Majesty's Command,  
 prorogued this present Parliament to the 2d Day of  
*November* next ensuing. At which Time it was  
 again prorogued, by Commission, to the 16th Day  
 of *February* following (*i*); from thence to the  
 15th of *March*; and, lastly, to the 20th Day of  
*April*, which was in the Year 1625 (*k*). Before  
 which

(*i, k*) There is a Proclamation printed in *Rymer's Public Acts*, Tom. XVII, p. 625, for proroguing the Parliament from the 2d Day of *November* to the 16th Day of *February* next coming. The Reason given there for it was, on account of a general Sickness then reigning, which proved mortal to many and was very infectious; particularly in the Cities of *London* and *Westm. after*. The second Proclamation for proroguing to the 15th of *March* is also at p. 648, but without any Reason being assigned for it.

which last Date, *viz.* on the 27th of March, in An. 23. James I.  
the same Year, King James died; by whose <sup>1625.</sup>  
Death this Parliament was finally dissolved.

Besides the long Affair of the Spanish Match, the  
Business of the *Palatinate*, the Trial of the Lord <sup>The Death of</sup>  
Treasurer, &c. which took up much Time; such  
Number of public and private Acts were made  
and passed in this Parliament, as scarce ever was  
done by any before. The printed Statutes only  
mention 35, *Rushworth*, together, makes them 73;  
but, in a Catalogue of the Acts, at the End of the  
*Lords Journals*, for this Reign, are the Titles of  
118. This may be some way accounted for,  
because no Acts at all were passed in the last Par-  
liament; that Business being put a Stop to by its  
sudden Dissolution; so that this took up what the  
other had left unfinished; and, both, together,  
made the Number grow to so great a Height.

There is no Necessity to enter into the Particu-  
lars of any of these Acts, the most material of  
them being already printed; except the last Bill of  
*Subsidies*, which, by the King's extraordinary Con-  
cessions, was made so difficult as to puzzle both  
the Houses in drawing it up and carrying it through  
the usual Forms. Never any King or Queen of  
*England*, before, did give Leave for the Parlia-  
ment to name and appoint their own Treasurers  
and Commissioners for disbursing the Money to be  
raised by a Grant. By what we find in the fore-  
going Proceedings, this Supply was all designed to  
go for the Recovery of the *Palatinate*; and the  
King's voluntary Offer of putting it out of his own  
Power to touch a Penny of it, evidently shews that  
he did not slight his own Descendents, so much as  
some Authors have, very ungenerously and unnat-  
urally, represented.

Upon the whole, we shall enter no farther into  
the Character of this King; but leave it to be de-  
termined by every Reader's Judgment, on the dif-  
ferent Transactions, throughout his whole Reign,  
between him and his Parliaments. The Republi-  
can Party, which grew to such a Height in the  
next

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An. 23. James I. next Reign, have spared no Pains to blacken him;  
1625. and will not allow him any one good Action in  
Government. Some of their Authors making him  
no better than a dreaming Pedant: Whilst, by  
those of another Stamp, he is cried up for an *Eng-*  
*glyſb Solomon.*—Perhaps, *Medio tutissimus ibis.*



CHARLES

CHARLES the First.

WE now enter upon a Reign which proved very unfortunate both to Prince and People; the former lost his Life, and the latter had their Liberties taken from them, by a Set of Men, whose first Pretences in taking up Arms were to defend both. The Disquisition of which Matters, as it has been great Labour, in the Collectors, to compile, so will it require no less Patience in the Readers to peruse and digest. The Instruments of State, Messages, Declarations, and Speeches, for and against the Prerogative of the Crown, being, many of them, long and tedious; and yet will allow of no Abridgement in a Work of this Nature.

King Charles I. like his Father, began his Reign, in *England*, at a very unhappy Period. A dreadful Plague having been since Time, and was then raging in *London* and *Westminster*, and Parts adjacent, which swept off many Thousands of People. His Marriage But this did not hinder the Match with *France*, with a Daughter of *France*. which had been some Time before negotiating, from going forward; *May* 1. the Marriage was celebrated, by Proxy, at *Paris*; and *June* 11. the new Queen landed at *Dover*; the next Day the King met her at *Canterbury*, where the Nuptials were compleated.

Before this last Affair happened, a Parliament had been summoned to meet at *Westminster*, on the 7th Day of *May* (a), by Writs bearing Date, from the same Place, *April* 2. but was further prorogued to the 31st of the said Month. From that Time it was again prorogued to the 13th of *June*, and from thence to the 18th, which Protagonists, we suppose, were on account of the Queen's Landing, and the Ceremonies in consequence of it. But *June* 18th, the King being seated on the Throne,

(a) *Lords Journals.*

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An. 2. Charles I. the Lords in their Robes, and the Commons attending, his Majesty spoke as follows:

The King's  
Speech at open-  
ing the Session.  
1625.

My Lords Spiritual and Temporal, and you Gentlemen of the House of Commons, in this Parliament assembled,

I May thank God, that the Business to be treated on at this Time is of such a Nature, that it needs no Eloquence to set it forth; for I am neither able to do it, nor doth it stand with my Nature to spend much Time in Words. It is no new Business, being already happily begun by my Father of blessed Memory, who is with God; therefore it needeth no Narrative: I hope in God you will go on to maintain it, as freely as you advised my Father to do it. It is true, he may seem to some to have been slack to begin so just and so glorious a Work; but it was his Wisdom that made him loth to begin a Work, untill he might find a Means to maintain it: But after that he saw how much he was abused in the Confidence he had with other States, and was confirmed by your Advice to run the Course we are in, with your Engagement to maintain it, I need not press to prove how willingly he took your Advice; for, the Preparations that are made, are better able to declare it, than I to speak it. The Assistance of those in Germany, the Fleet that is ready for Action, with the rest of the Preparations, which I have only followed my Father in, do sufficiently prove, that he entered, [not superficially, but really and heartily, into this Action.

My Lords and Gentlemen, I hope that you do remember, that you were pleased to employ me to advise my Father, to break off those two Treaties that were on foot; so that I cannot say, that I came hither a free unengaged Man. It is true, I came into this Business willingly and freely, like a young Man, and consequently rashly; but it was by your Interest, your Engagement: So that though it were done like a young Man, yet I cannot repent me of it, and I think none can blame me for it, knowing the Love and Fidelity you have [ever] born to your Kings

has

having myself, likewise, some little Experience of your An. i. Charles I.  
 Affections. I pray you remember, that this being my • 1625.  
 first Action, and begun by your Advice and Intreaty,  
 what a great Dishonour it were [both] to you and  
 me, if this Action, so begun, should fail of that As-  
 sistance you are able to give me. Yet knowing the  
 Constancy of your Love both to me and this Business,  
 I needed not to have said this, but only to shew what  
 Care and Sense I have of your Honours and mine  
 own. I must intreat you likewise to consider of the  
 Times we are in, how that I must adventure your  
 Lives (which I should be loth to do) should I continue  
 you here long; and you must venture the Business, if  
 you be slow in your Resolutions. Wherefore I hope  
 you will take such grave [and wise] Counsel, as you  
 will expedite what you have in-hand to do: Which  
 will do me and yourselves an infinite deal of Honour;  
 you, in shewing your Love to me; and me, that I may  
 perfect that Work which my Father hath so happily begun.

Last of all, because some malicious Men may, and,  
 as I hear, have given out, that I am not so true a  
 Keeper and Maintainer of the true Religion that I  
 profess; I assure you, that I may with St. Paul say,  
 that I have been train'd up at Gamaliel's Feet:  
 And although I shall never be so arrogant as to af-  
 fume unto myself the rest, I shall so far shew the End  
 of it, that all the World may see, that no Man hath  
 been, nor ever shall be more desirous to maintain the  
 Religion I profess, than I shall be.

Now because I am unfit for much speaking, I mean  
 to bring up the Fashion of my Predecessors, to have  
 my Lord Keeper speak for me in most Things: There-  
 fore I have commanded him to speak something unto  
 you at this Time, which is more for Formality, than  
 any great Matter he hath to say unto you.

Then the Lord Keeper, Williams, (b) added, 'That And the Lord  
 the King's main Reason of calling the Parliament, Keeper's.  
 ' besides

(b) According to Rushworth and Franklyn, the Lord Keeper, at this  
 Time, was Sir Thomas Coventry. But Mr. Philips, in his Life of Bi-  
 shop Williams, says that his Lordship yet continued Lord Ke-  
 per which is confirm'd by the Chronica Juridicia, where  
 that Sir Thomas Coventry was not appointed to that Office  
 1st of November 1625.

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An. 7. Charles I.  
1625.

• besides the beholding of his Subjects Faces, was  
• to mind them of the great Engagements for the  
• Recovery of the *Palatinate*, imposed on his Ma-  
• jesty by the late King his Father, and by them-  
• selves, who brake off the two Treaties with  
• Spain. Also to let them understand, That the  
• succeeding Treaties and Alliances, the Armies  
• sent into the *Low-Countries*, the Repairing of the  
• Forts, and the Fortifying of *Ireland*, do all meet  
• in one Centre, the *Palatinate*; and that the  
• Subsidies granted in the last Parliament, are here-  
• in already spent, whereof the Account is ready,  
• together with as much more of the King's own  
• Revenue. His Lordship further commended  
• three Circumstances:

• *First*, The Time; all Europe being at this Day  
• as the Pool of *Bethseda*, the first stirring of the  
• Waters must be laid hold on: Wherefore his Ma-  
• jesty desires them to bestow this [*first*] Meeting  
• on him, or rather on their Actions; and the  
• next shall be theirs, as soon, and as long as they  
• please, for Domestic Business.

• *Secondly*, The Supply; if Subsidies be thought  
• too long and backward, his Majesty desires to  
• hear, and not to propound the Way.

• *Thirdly*, The Issue of Action; which being the  
• first, doth highly concern his Majesty's Honour  
• and Reputation, for which he relies upon their  
• Loves, with the greatest Confidence that ever  
• King had in his Subjects; witness his Roya  
• Posey, *Amor Civium Regis Munimentum*: And  
• he doubts not, but as soon as he shall be known  
• in Europe to be their King, so soon shall they be  
• known to be a loving and loyal Nation to him.

Sir Thomas  
Crew, chosen  
Speaker.

The Journals of the Lords here assist us to fill up a Vacancy, in those of the other House and in *Rushworth*; and that is an Abstract of the Speaker's Oration, on his being presented to the King for Approbation, and the Lord Keeper's Answer to it. The former Authorities tell us, That, on June the 20th, the Commons presented Sir *Thomas Crew*, Kt., Sergeant

Sergeant at Law, for their Speaker; who made An. 1. Charles I.  
his formal Excuse; but being confirm'd in his Of-  
fice, he addressed himself to the Throne in Words  
to this Effect:

‘ He first protested that he undertook the Office His Oration to  
of Speaker, in Obedience, only, to his Majesty; the Throne.  
he remembred the Proceedings in the last most hap-  
py Parliament, in which it pleased the late King,  
of famous Memory, to ask the Advice of his  
People; and expressed their Joy that God, who  
nath the Power of the Hearts of Kings, directed  
his Majesty, that now is, to proceed in the like  
Parliamentary Course. That, as a Woman for-  
gets her Sorrow at the Birth of a Man-Child, so  
they, when his Majesty was placed on his Father's  
Throne, had their Hopes, that as good King *He-  
zekiah*, was five and twenty Years of Age, and  
having a wise and great Council, when he began  
to reign, and, at his first Entrance, shewed his  
Zeal to God and his Care for Religion; so his Ma-  
jesty being of the same Age, and having a faithful  
People to advise him, will maintain true Religion  
and the antient Laws, so much esteemed in all  
Ages. In this, he said, their Hopes were the greater,  
for that his Majesty begins with a Parliament,  
and remembers his Father's Charge to maintain our  
Religion. That it was God's merciful Power to  
bring his Majesty back out of Danger when he was  
in a strange Land. He expressed their Sorrow for  
his then Absence, and exceeding great Joy at his  
safe Return; and humbly besought his Majesty,  
That now God had put the Sword into his Hand,  
he would extend it for the Recovery of the *Pala-  
tinate*, so dishonourably gotten and kept by hostile  
Arms; which was antiently a Refuge for Religion;  
and not to suffer those Locusts the *Jesuits* to eat  
up the good Things of this Land. He acknow-  
ledged his Majesty's Stem to be lineally descended  
from *Lucius*, the first *British* King that embrac'd  
the Gospel; and concluded with the accustomed  
Petitions for Freedom from Arrests, *eundo, sedendo,*  
*& redeundo*, during this Parliament; for Freedom  
of

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An. 1. Charles I.  
1625.

of Speech in their Consultations ; not doubting but to confine themselves within the Limits of Duty and Modesty ; Access to his Majesty on all needful Occasions ; and a benign Interpretation of all their Actions, and of this h.s Speech in particular.'

The Lord Keeper's Answer.

The Lord Keeper, having first had Conference with the King, answered to this Effect : ' That his Majesty had amply accepted the Speaker's Obedience, tho' he refused his Sacrifice. That he remembred the last Parliament to be happy ; as it was so accounted by the late King, so esteemed by his Majesty, and so it proved by the Event, in which the two Treaties with *Spain* were dissolved, and so many gracious Laws enacted. It became the late King so to close his Government ; in which Parliament, our present King being a principal Actor, he can never forget the Desires of the Commons nor the Wishes of the Lords.'

' That h.s Majesty takes in good Part Mr. Speaker's Observation of the five Circumstances of his Entrance to the Crown ; as that he began with a Parliament ; that he came to us with Noble Blood, being lineally descended from the antient *British* Kings ; that his Succession sweetned the Loss of his glorious Father ; that God was with him in a strange Land, and delivered him from thence ; even as God was with *Moses* so he always with his Majesty, to which let all say *Amen*. And, lastly, that his Majesty professes the true Religion, it being the last Blessing his Father gave him to have a special Care thereof. As Mr. Speaker recommends to his Majesty the Laws of the Land ; so he, also, recommends the same to the Lawyers ; that they study the antient Laws, themselves, and not the Abridgements. And whereas you represent to his Majesty that unjust Acquisition of the *Pastinate*, the Dishonour of our Nation, no Man can but be sensible of his Majesty's Care for the Recovery thereof ; he having given a lively Representation of his Affection to it, himself, the other Day in this Place. He now hopes that ye who first drew him

him into this Action will give him such Supplies as <sup>An. 1. Charles I.</sup> will enable him to perform it.' <sup>1625.</sup>

' And, as touching the Banishment of those Locusts the Priests and Jesuits, his Majesty commands that Saying of St. Ambrose, *That the poorest Man hath Interest in Religion.* Yet, he desires you to trust him with the Manner thereof, and he will be careful to give you good Satisfaction of his Zeal therein. Lastly, as touching Mr. Speaker's Petitions for your Privileges, his Majesty grants them all without any Limitation; knowing well that yourselves will punish the Abuses thereof.'

The first Business done, in the House of Commons, was to appoint a solemn Fast amongst themselves (*c*). It had been the Custom in several late Parliaments to begin in the same Manner, but now it was, more particularly, urged, on account of the general Plague which was round them. The next Day, June 22d, a Committee of Privileges and Elections being appointed, Sir Benjamin Rudyard got up and spoke to this Effect: ' That the late Distastes taken between the late King and his Parliaments, were the chief Cause of all the Miseries of the Kingdom. The first Turn of which, towards a Reconciliation, was given by the now King, then Prince; by which accrued more Benefit to the Subject, than in any Parliament these many hundred Years. What may we then expect from him, being King, and having Power in his own Hands? His good natural Disposition; his Freedom from Vice; his Travels abroad; his being bred in Parliaments (*d*), promised greatly. Therefore, he moved to take such Course now to sweeten all Things between King and People, that they may never afterwards disagree.'

Sir Edward Coke moved, ' That there might be no Committees for Grievances or Courts of Justice; first, in respect of the Plague; next, because this

Was

(c) In the Year 1581. An. 23. Eliz. The Commons having appointed a Fast, by their own Authority, the Queen highly resented it as an Intrusion upon her Authority Ecclesiastical. See Vol. IV. p. 136.

(d) It appears by the *Lords Journals*, in the last Reign, that the Prince of Wales daily attended the Service of the House.

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An. 1. Charles I.  
1625. was the very Beginning of the new King's Reign, in which there can be no Grievances as yet; thirdly, because the Petition against Grievances, in the last Parliament of the late King, was preferred too late; only to petition for an Answer to these. For, adds he, though the Prince is gone the King liveth; no *Interregnum*.<sup>3</sup>

The rest of this Days Debates turned, chiefly, on raising a Supply, and the old Topic of putting the Laws in Execution against *Jesuits*, *Popish Priests*, &c. The Sollicitor General acquainted the House, ‘That the King had taken Care of their Grievances preferred the last Parliament; and, at any one Day the House would assign, Satisfaction would be given them therein.’

The Plague still raging more and more, in and about *London*, made the Members of both Houses very uneasy in their Situation at *Westminster*; some of them taking Notice, that the Bell was tolling every Minute, whilst they were speaking. At the Petition of both Houses, the King proclaimed a general Fast, all over the Kingdom, on a certain Day; and his Majesty, in Person, went with the two Houses to Prayers and Sermon, at *St. Margaret's Church* in *Westminster*.

July 4. Sir Edward Coke reported the King's Answer to the Commons Petition, about a Receipt from Parliament, at this sickly Season: ‘That the King had taken their Safety, which he valued more than his own, into Consideration; and when he should hear the Commons were ready with their Bills, for he would not hasten them in any Thing, he would put an End to this Session.’

The next Day, the Bill for granting two entire Subsidies, passed the Commons; *Tonage* and *Poundage*, because granted for one Year only. The Lords rejected the Bill of Ton-

Majesty's Predecessors were for Life, the House of Lords would not pass it. It was also declared, ‘That the Intention and Resolution of the House was, as in the Act of *Subsidy*, 21. *Jac.* that all Charges mentioned there, are to be deducted out of

of the Subsidies and Fifteenths, and to be paid according to that Act.'

An. 1. Charles I.  
1625.

July 7. An Affair came on in the House of Commons, which must make a great Noise at that Time. A Complaint had been made there against one Dr. Montagu, for printing and publishing a Book, called *An Appeal to Cæsar*. The Recorder of London, one of the Committee appointed to examine into this Matter, made a Report, ' That the Archbishop of Canterbury had censured the said Dr. Montagu for a former Book (*f*), and had told him, that tho' there were some Things in it which might receive a favourable Interpretation ; yet there were others in it not of that Nature. In which the Committee all agreed, That the Archbishop had done what was fitting : But they were of Opinion, That there were many Things contained in the Doctor's Books directly contrary to the Articles of Religion established by Parliament ; as that the Church of Rome was *vera Christi Ecclesia, & Sponsa Christi* ; and that the said Church *eadem Fundamenta Doctrinæ & Sacramentorum mititur* : That the Committee held this second Book as factious and seditious, tending manifestly to the Dishonour of the late King, and the Disturbance of both Church and State. For the first, he denies that *Arminius* was the first that infected Leyden with Errors and Schisms : That the Synod of *Dort*, so honoured by the late King, was slighted by him ; calls it *formicæus*, and partial ; he knows not what Ends they had, nor cares for them : He directs his Book to the present King, and calls it *Appello Cæsarem*, and yet says the Pope is not *Antichristus* ; which is contrary to what the late King himself had wrote to all Christian Princes. The Committee think that there is enough in this Book to put a Jealousy between the King and his well-affected Subjects. Says there are some amongst that desire an *Anarchy*, and means the Puritans, whom yet he hath not defined. He plainly int-

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mates

(f) The first Book was called, *A new Gag for an old Goose, Answer to a Popish Book*, called, *A Gag for the new Gospel*. Rushworth.

*An. 1. Charles I.* mates that there are *Puritan* Bishops; which the Committee conceived tended much to the Disturbance of the Peace in Church and State. He respects *Bellarmino*, but slighted *Calvin*, *Beza*, *Perkins*, *Whitaker*, and *Reynolds*. In his Book he much discountenances God's Word, disgraces Lectures and Lecturers, and Preaching itself; nay, even reading the Bible. That never a Saint-seeming, Bible-bearing, hypocritical *Puritan* was a better Patriot than himself. Upon the whole, That the Frame of the Book was to encourage *Popery*; in maintaining the *Papists* to be the true Church, and that they differ not from us in any fundamental Point.) If therefore they hold us Heretics, and not to be saved, and we hold the contrary of them, who will not think it safer for us to be in their Church than in ours? The *Papists* read, and commend this Book to others to be read; whereas they suffer none of ours to be read amongst them. Lastly, He had done an Injury to that House in two Points: That when he knew his first Book was there questioned, and referred to the Archbishop of *Canterbury* for Censures, he prints a new Book worse than the former. And whereas a Petition had been preferred to this House by one *Yates* and *Ward*, he says they are *Puritans*, altho' they have subscribed the Articles; and to revile them for this, is a Reflection upon the House.'

The King inter-  
poses in his Fa-  
vour.

Upon the Question, it was resolved, That, at their next Meeting, the Lords should be acquainted with these Books, and a Conference to be prayed with their Lordships about them: Likewise for a Touch, as it is termed, to commit him to the Custody of the Sergeant at Arms, to answer his Contempt in the next Session. But the King sending a Message to the House, that Dr. *Montagu*, being his Servant and Chaplain in Ordinary, he had taken the Cause into his own Hand; wished they would enlarge him, and that he would take Care to give the House Satisfaction in it; the Doctor, upon giving in Bail of 2000 l. was discharged out of Custody.

This

This was the most material Business the Commons went upon, in the first Session of this Parliament : Nor was there any Thing done, worth Notice, by the Lords, except the Introduction into that House of John Earl of Clare, Oliver Earl of Bolingbroke, Francis Earl of Westmoreland, William Lord Viscount Say and Seale, James Lord Ley, Lord High Treasurer of England (g), and Edward Lord Conway, Secretary of State. They also join'd in a Petition to the King with the Commons, about Matters of Religion : To which his Majesty answered, ' That he was very glad to find the Parliament so forward in Religion ; and assured them that they should find him equally so : But that their Petition being long, the Answer to it must be deferred to another Opportunity.'

July the 11th, the Day that both the Houses desired a Recess, on account of the Contagion, after a Motion to that Purpose, the Commons ordered, ' That their House should be called over the third Day of the next Meeting, and those Members that were absent should incur the Censure of the House.' Afterwards, being informed by the Lords, that a Commission was come to them to pass the Bills, and adjourn the Houses, the Speaker went up with the rest ; and, upon presenting the Subsidy Bill, which, he said, was the first Fruits of their Love, the Lord Conway, Secretary of State, spoke to this Purpose ; ' He signified the King's gracious Acceptance of the Bill of two Subsidies ; yet, that the Necessity of the present Affairs were not therewith satisfied, but required their further Counsels. He reminded them that the late King was provoked beyond his Nature, to undertake a War for the Recovery of his Children's ancient Patrimony ; that the Charges of this War appeared, by Computation, to amount unto 700,000 l. a Year ; to support the Netherlands, and to prevent the Emperor's Designs of concluding with the Princes of Germany, utterly to exclude the Palgrave, he levied an Army under Count Mansfield ; the Kings of Denmark

(g) Sometime before Lord Chief Justice of the King's Bench.

An. 1. Charles I.  
1625.

His Majesty's  
Answer to the  
Petition concern-  
ing Religion.

Lord Conway re-  
presents the State  
of foreign Affairs.

**Ap. I. Charles I.** mark and Sweden, and the Princes of Germany, levied another; France, Savoy, and Venice, joined together for a War of Diversion; and, lastly, to uphold the Netherlands, the Charges of Mansfield's and the Danish Army must yet continue.'

The Lord Keeper then told the Houses, 'That his Majesty had received their Petition about Religion, and had answered it, in some Measure, before; but now he had done it to the full;' which Petition and Answer will appear in the Sequel. Afterwards the two Houses adjourned (the Lords according to the King's Commission, but the Commons of themselves) to the first of August next, at Oxford.

The Contagion still raging very sore, the Receipt of the King's Exchequer was removed to Richmond; and all the Fairs, within 50 Miles of London, were prohibited, to prevent a more general Infection. During this short Recess an Affair happened, which occasioned much Disgust against the Prime Minister, the Duke of Buckingham. This Nobleman lost no Ground in losing his old Master, King James; for, if possible, he was a greater Favourite with the Son and Successor, than ever he had been with the Father: His Popularity, however, had begun to fall off some Time; and all the Reputation he had gained, in his Recital of his Conduct in Spain, as mentioned in the last Reign, was blasted by some Suspicions that were entertained of that Affair, and his Mismanagement of the Administration ever since.

The religious War in France was now very warm; the Town of Rochell was in the Hands of the Protestants, and the French King preparing to besiege it by Sea and Land, some Ships of the Navy Royal of England, with their Complements of Men, were lent to the French for that Purpose: But their Crews absolutely refused to fight against People of their own Religion; and a Tumult began amongst them, in which they got up their Anchors and set Sail for England, saying, They would rather be hang'd at home, than be Slaves to the French, and do Hurt to their Brethren. The Duke ordered

Admiral

Admiral Pennington to go back with the Fleet, which he did ; but still all the Companies declined the Service, and actually left their Ships before they would submit to such Orders. This Affair happening in the Interval of the Recess of Parliament, gave the Duke's Enemies greater Scope to execute their Designs against him.

An. 2. Charles I.  
1625.

On the first of August the Parliament met at Oxford ; and, on the fourth, the Lords and Commons were commanded to attend the King, in the Great Hall at Christ-Church ; where he spake to them as followeth :

My Lords, and you of the Commons,  
*WE* all remember, that, from your Desires and The King's Advice, my Father, now with God, brake off those two Treaties with Spain that were then in hand : Well you then foresaw, that, as well for regaining my dispossessed Brother's Inheritance, as home Defence, a War was likely to succeed ; and that as your Counsels had led my Father into it, so your Assistance, in a Parliamentary Way, to pursue it, should not be wanting. That Aid you gave him by Advice, was for Succour of his Allies, the guarding of Ireland and the home Part, Supply of Munition, preparing and setting forth of his Navy. A Council you thought of, and appointed for the War, and Treasurers for issuing of the Moneys : And, to begin this Work of your Advice, you gave Three Subsidies, Fifteenths, and Tents ; which, with Speed, were levied, and, by Direction of that Council of War, (in which the Preparation of this Navy was not the least) disbursed.

It pleased God, at the Entrance of th's Preparation, (by your Advice begun) to call my Father to his Mercy, whereby I entered as well to the Care of your Design, as his Crown. I did not then, as Princes do, of Custom and Formality re-assemble you, but that, by your further Advice and Aid, I might be able to proceed in that which, by your Counsel, my Father was engaged in. Your Love to me, and Forwardness to further those Affairs, you expressed by a Grant of Two Subsidies, yet ungathered ; altho' I must a-

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An. 1. Charles I. *sure you, by myself and others, upon Credit taken up, and  
2625. afterward disbursed; but all far too short, as yet, to set  
forth the Navy now preparing; [as I have lately found  
by Estimate of those of Care and Skill employed  
about it. Before you could be acquainted fully  
with these Necessities of further Aid, it pleased God  
to visit the Place of your Assembly then with a  
grievous Plague. To stay you in that Danger had  
been a Neglect of my just Care, and to prorogue  
the Parliament had been to destroy the Enterprize:  
I therefore adjourned you to this Place; a Place  
then free from that Infection, with which it hath  
pleased God since also to visit. Here, then, to hold  
you long against your own Desires, were to express  
little Care of your Safeties; and to adjourn it, with-  
out your further Helps, were to destroy the Pre-  
paration already made: I therefore leave the Care  
of both to your Elections, Resolutions, and An-  
swers; only acquainting you with my own Opin-  
ion, which is, That it is better far, both for your  
Honours and mine, that, with Hazard of half the  
Fleet, it be set forth, than, with the assured Loss  
of so much Provision, it be stayed at Home.*

The whole Particular of all Expences about this Preparation shall be laid before you, when you shall be pleased to overlook them, and the Lord Treasurer, with other Ministers employed, shall acquaint you with them.] (b).

After his Majesty had ended this Speech, he com-  
manded his Secretaries, the Lord Conway and Sir  
John Cook, more particularly to declare the present  
State of his Affairs; which they did to this Effect:

Lord Conway and  
Sir John Cook  
declare the State  
of the King's  
Affairs.

*T*HAT our Sovereign Lord King James, of famous Memory, at the Suit of both Houses of Parliament, and by the powerful Operation of his Maicity that now is, gave Consent to break off the two Treaties with Spain, touching the Match and the Palatinate, and to vindicate

\* the

(1) This long Passage, and the rest, within Crotchets, are omitted in Rishworth, but supplied from the Lord's Journa's.

## Of E N G L A N D. 359

the many Wrongs and Scorns done unto his Ma- An. 1. Charles I.  
jesty and his Royal Children : Besides, if the King  
of Spain were suffered to proceed in his Conquests,  
under Pretence of the Catholic Cause, he would  
become the Catholic Monarch, which he so much  
affects, and aspires unto. Also amidst these Ne-  
cessities, our late King considered that he might  
run a Hazard with his People, who being so long  
inured to Peace, were unapt to War ; that the  
uniting with other Provinces in this Undertaking,  
was a Matter of exceeding Difficulty. This  
drew him to new Treaties for regaining his  
Childrens Right, which were expulsed by the  
Friends and Agents of Spain ; and wherein his  
Majesty proceeded as far as the wisest Prince could  
go, and suffered himself to be won unto that,  
which otherwise was impossible for his Royal  
Nature to endure. He considered also the many  
Difficulties abroad ; the Duke of Bavaria, by  
Force and Contract, had the Palatinate in his  
own Possession ; most of the Electors and Princes  
of Germany were join'd with him ; the Estates of  
other Princes, most likely to join in a War of  
Recovery, were seized and secured, and all by a  
conquering Army : Besides, the Emperor had  
called a Diet, in which he would take away all  
Possibility of recovering the Honour and Inheri-  
tance of the Palatinate : Thus it stood in Ger-  
many. And, in France, the King there chose to  
sheath his Sword in the Bowels of his own Sub-  
jects, rather than to declare against the Catholic  
Cause. In the Low Countries, the Sect of the  
Arminians prevail'd much, who inclined to the  
Romans rather than to their own Safety, notwith-  
standing that the Enemy had a great and power-  
ful Army near them ; so that his Majesty was  
enforced to protect and countenance them with  
an Army of 6000 Men from hence, with a Cau-  
tion [of Repayment of the Charge] and the like  
Supply further, if required. Moreover, he  
sought Alliance with France, by a Match for his  
Royal Majesty that now is, thereby to have In-  
terest

**An. 1. Charles I.** terest in that King, and to make him a Party.

**1625.** The last Consideration was his Majesty's own Honour, who had laboured with the two Kings of *Denmark* and *Sweden*, and the German Princes, from whom he received but cold Answers, they refusing to join, unless they first saw his Majesty in the Field: But of this he was very tender, unless the League was broken, or he first warred upon. The Forces of an Army were considered, and the Way of proceeding, whether by Invasion or Diversion: The Charges thereof appeared in Parliament to be 700,000 l. a Year; besides *Ireland* was to be fortified, the Forts here repaired, and a Navy prepared, he thought it feasible to enter into a League with the *French* King, and the Duke of *Savoy* and *Venice*.

Hereupon an Army was committed to Count *Mansfield*, the Charge whereof came to 20,000 l. (i) a Month for his Majesty's Part; also he commanded the preparing of this great Fleet: All which so heartened the Princes of *Germany*, that they sent Ambassadors to the Kings of *Denmark* and *Sweden*, and those two Kings offered a greater Army, both of Horse and Foot, to which his Majesty was to pay a Proportion. Count *Mansfield's* Army, tho' disastrous, produced these happy Effects: First, It prevented the Diet intended by the Emperor. Secondly, The German Princes gained new Courage to defend themselves and oppose their Enemies. Thirdly, The King of *Denmark* hath raised an Army, with which he is marched in Person as far as *Minden*. Moreover, the Confederates of *France* and *Italy* have prosecuted a War in *Milan*, and Peace is now made by the *French* King with his own Subjects; so that by this Means, Breath is given to our Affairs.

This Parliament is not called in meer Formality upon his now Majesty's first coming to the Crown; but upon these real Occasions, to consult with the Lords and Commons: Two Subsidies are already given, and graciously accepted; but the Monies thereof,

(i) In *Rushworb* 70,000l.

## Of E N G L A N D. 361

• thereof, and much more, are already disbursed. An. 1. Charles I  
• A Fleet is now at Sea, and hastening to their Ren- 1625.  
• dezvous, the Army is ready at *Plymouth*, expect-  
• ing their Commanders. His Majesty's Honour,  
• Religion, and the Kingdom's Safety, is here en-  
• gaged; besides, he is certainly advised of Designs  
• to infest his Dominions in *Ireland*, and upon our  
• own Coasts, and of the Enemy's Increase of Ship-  
• ping in all Parts. These Things have called  
• the Parliament hither, and the present Charge of  
• all amounts to above 400,000 l. the further Pro-  
• secution whereof, the King being unable to bear,  
• hath left it to their Consultations. His Majesty  
• is verily persuaded, that there is no King that loves  
• his Subjects, Religion, and the Laws of the  
• Land, better than himself; and likewise, that  
• there is no People that better love their King,  
• which he will cherish to the uttermost. It was  
• thought that this Place had been safe for this As-  
• sembly; yet, since the Sicknes hath brought  
• some Fear thereof, his Majesty willeth the Lords  
• and Commons to put into the Ballance, with the  
• Fear of the Sicknes, his and their great and weigh-  
• ty Occasions.

Then the Lord Treasurer added, ' That the late  
• King, when he died, was indebted to the City of  
• London 120,000 l. besides Interest, and indebted  
• for Denmark and the *Palatinate* 150,000 l. and  
• indebted for his Wardrobe 40,000 l. That these  
• Debts lie upon his Majesty that now is, who is  
• indebted unto London 70,000 l. That he hath  
• laid out for his Navy 20,000 l. and 20,000 l.  
• for Count Mansfield. And, for Mourning and  
• Funeral Expences for his Father, 42,000 l. For  
• Expences concerning the Queen, 40,000 l. The  
• Navy will require, to set it forth in that Equi-  
• page as is requisite for the great Design his Maje-  
• sty hath in Hand, and to pay them for the Time  
• intended for this Expedition, 300,000 l.'

The Proceedings of the Commons being now  
the principal Things done in this Parliament, we  
shall

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An. 1. Charles I.  
1625. shall chiefly follow the Authority of their *Journals* for our Testimony therein. We are told, That the first Day of this Session, the Affair of Dr. Montagu's Books was brought again on the Carpet, by

The Commons resume the Complaint against Dr. Montagu.

Sir Edward Coke, and others: The Sergeant at Arms told the House, that he had the Doctor's Bond of 2000 l. for his Appearance; but that he had lately got a Letter from him that he was sick of the Stone: On which the Sergeant was ordered to produce both the Bond and the Letter. The Solicitor General begg'd Leave to put the House in mind of his Majesty's Message to them before the last Recess; and moved to acquaint the King with the Particulars and Consequences of the Book, and doubted not but they would have Leave to send for him. Hereupon a Debate arose, Whether any of the King's Servants might be questioned in that House? One urged the Danger of such an Exemption; and others named some Instances where they had; as, particularly, the Case of Sir Thomas Parry, who was a Privy Counsellor, whom the King desired might be left to him; but the House would not consent, but expelled him. Mr. Wentworth (afterwards Earl of Strafford) mentioned the Lord Chancellor Bacon's and the Lord Treasurer Middlesex's Cases, whom this House dealt with; he said Montagu reproached Bible bearers, which was the Arms of that University; and moved to proceed against him for a Contempt of that House. This was agreed to, and to pray a Conference with the Lords about it; not to meddle with his Tenets, but to leave them to the Bishops. The Sergeant was commanded, at his Peril, to bring Dr. Montagu to the House, with all convenient Speed, and he to stand committed till he shall be discharged by the House.

The Commons then proceeded to take into Consideration the King's Speech, and the subsequent Account from the Secretaries; and ordered, That all the Members shall attend the next Morning, and not depart without Licence, on Pain of the Censure of the House.

August

*August 5.* The two Chancellors of the Exchequer and Duchy, the Treasurer of the Household, and some more, moved for the Supply ; which, they said, must be two *Subsidies*, and two *Fifteenths*, at least, for less would not serve for the present Occasions. This was opposed by others, who urged to know the Cause for this Supply, and the Enemy against whom the Preparations were destinated : That the Estates of the Papists, who contributed to their Enemies, may be speedily looked into, to supply the King. Old Sir Edward Coke begins, as usual, in this Debate, with some *Latin Sentences*, ‘ *Necessitas affectata, invicibilis, & improvida* : The two last, he said, break all Laws and Orders, and must be supplied : But, if their Necessities came by Improvidence, then no such Cause to give. *Neutralitas nec Amicos parit nec Inimicos tollit. Commune Periculum, commune Auxilium.* No King can subsist in an honourable Estate without three Abilities. *First*, To be able to maintain himself against sudden Invasions. *Secondly*, To aid his Allies and Confederates. *Thirdly*, To reward his well-deserving Servants. But, he urged, there was a Leak in the Government, of which Leak such as these were the Causes ; Frauds in the Customs ; Treaty about the *Spanish Match* ; new invented Offices, with large Fees ; old unprofitable Offices, which the King might justly take away with Law, Love of his People, and his own Honour ; the Presidencies of *York* and *Wales* ; Multiplicity of Offices in one Man ; every Officer to live on his own Office ; the King’s Household out of Order ; new Tables kept there made the Leakage the greater ; voluntary Annuities, or Pensions, which ought to be stopped till the King was out of Debt, and able to pay them. In the 4th *Henry IV.* no Man was to beg of the King till he was out of Debt. *Lastly*, That all unnecessary Charges, costly Diet, Apparel, Buildings, &c. increase still the Leakage.

‘ To apply some Means for Remedy ; the Multiplicity of Forests and Parks, now a great Charge to the King, might be drawn into a great Benefit

**s. Charles.** to him ; that understanding Officers be employed  
**1625.** in the King's House, to reduce it to its antient Form ;  
 and not with Sir *Lionel Cranfield*, to divide a Goose ;  
 and that his Shop-Boys be not taken from his Shops  
 and placed in the Green-Cloth ; that the Great  
 Offices, for the Defence of the Kingdom, be put  
 into the Hands of able Men that have Experience, as  
 Admiralty's Places, &c. (k). The King's ordinary  
 Charge in *Edward III's* Time, was borne by the  
 King's ordinary Revenue. *Ireland*, at that Time,  
 was also 30,000 l. a Year Benefit to the King ;  
 but now a great Charge to him. To petition the  
 King rather for a logique than a rhetorique Hand ;  
 a strait, than an open one. Move for a Commit-  
 tee to put down these, and such other Heads as  
 shall be offered.'

It may be supposed that this Speech of the old  
 Orator's was very long, by the Heads of it above  
 mentioned, and the Subsequence of this Day's De-  
 bates ; for little is entered after it, save that the  
 Solicitor General moved to petition the King to de-  
 clare the King of *Spain* an Enemy, since it was  
 he that had done them all the Wrong : To take  
 Care of *Papists* at home, whose Hearts were with  
 the *Spaniards*, and are dangerous here whilst our  
 Navy was abroad. Two *Subsidies* and two *Fif-  
 teens*, to be paid in *October* and *April* come twelve  
 Months. Others declared against granting *Subsidies*  
 in Reversion ; and not to graft *Subsidy* upon *Subsidy*  
 in one Parliament. A Committee for this Matter  
 was moved for, the Duke to be called to it, ' That  
 he may give Satisfaction for these Aspersions that  
 had been laid upon him.' But no Resolution was  
 come to on this Day.

This was the first Stroke made at the Minister,  
 to be met with in the *Journals* ; but much more is in  
 the Sequel. The next Day, *August 6*, after some  
 Busines of less Consequence was done, Sir *Henry  
 Mildmay*

(k) These Strokes at the then Lord Treasurer and Lord Admi-  
 ral, &c. taken from an old Manuscript of the Proceedings of this  
 Parliament, but are omitted in the *Journals* ; However, the Blow  
 was followed closer afterwards.

*Mildmay* stood up and said, ‘ That they were called thither for two Reasons ; for the Cause of Religion, and granting a Supply to his Majesty. That their Coldness in Religion was one of the principal Causes of the grievous Visitation then upon them. To add to our former Petition to his Majesty, that he will upon no Account give any Connivance to the *Papists*. That they were not absolutely bound to maintain a War, but to assist and supply the King in a War. Moved, first, to know what Money will serve for the Fleet ; then to raise the Supply, if not by Subsidy, yet by some other Course, of which there are Precedents ; and which, being done in Parliament, is a Parliamentary Course.’ A Committee was moved for, by others, to consider of the King’s Supply : And Secretary *Cook* urged, That the Commission of the Navy might be the first examined. This was followed by Mr. *Strode* ; but he added, sarcastically enough, ‘ That all who spoke in the Committee might apply themselves to this, How two *Subsidies* and *Fifteens*, payable more than one Year hence, can supply a Navy, to go out in fourteen Days.’

Another Member, Sir *Nathaniel Rich*, said, ‘ That they ought not to refuse to give at all ; but, first, to represent their Wants to the King, first, for Religion, to have his Majesty’s Answer in full Parliament, and then enrolled ; which then would be of Force with an Act of Parliament. Next, to know the Enemy against whom War was to be made. The Necessity of an advised Counsel for governing of the great Affairs of the Kingdom. The Necessity of looking into the King’s Revenue. To have his Majesty’s Answer concerning Impositions on Wines. And tho’ the Time was not now fit for the Decision of all these Points, yet a select Committee to be appointed to set down the Heads of them, and then to have the King’s Answer to them in Parliament ; the doing of which, he said, was no Capitulation with his Majesty, but an ordinary Parliamentary Course, as 22. Ed. III. and that

An. I. Charles I.  
1625.

**An. 1. Charles.** that without which the Common-Wealth could  
 1625. neither supply the King, nor subsist.'

Mr. Rushworth tells us (<sup>1</sup>), That the Anti-Couriers were freer than all this with the Ministry. At this Debate, he says, they urged, ' That great Sums of Money were given for Places, to the Value of 140,000 l. at least. That the King ought to contribute to help the *Palatinate's* Cause with his own Estate. That the Time of the Year was too far spent for the Fleet to go out for Service. That Enquiry ought to be made, Whether the Duke brake not the Match with *Spain*, out of Spleen and Malice to the Conde *Olivares*? Whether he made not the Match with *France* upon harder Terms? And whether the Ships, employed against *Rochel*, were not maintained with the Subsidies given for the Relief of the *Palatinate*? Of all which there is not one Syllable mentioned in the *Journals*.—

Though, indeed, there is sufficient Reason to believe they might have been said in this Debate, by what follows: For Mr. Edward Clarke, a Member, us'd an Expression in a Speech, ' That there had been Speeches there, with invective Bitterness, and very unseasonable for the Time.' On which there was a general Acclamation, *To the Bar*; and, being ordered to explain himself there, he gave still greater Offence. He was then further ordered to withdraw, whilst this Matter was debated in the House. Some argued for Expulsion; others said, though the Offence was great, yet the Punishment ought to be more moderate. At length, it was agreed, ' That he should kneel at the Bar, and the Speaker to let him know the House had taken just Offence at his Words; and therefore that he should stand committed to the Sergeant during the Pleasure of the House.' But, the next Day, upon Submission made, he was released.

A Member cen-  
sured for some  
Reflections.

(1) *Collections*, Vol. I., p. 180.

In this Debate Sir Robert Cotton, the learned An-  
tiquary, spoke as follows (m):

An. i. Charles I.  
1625.

Mr. Speaker,

ALTHO' the constant Wisdom of this House Sir Robert Cot-  
ton's Speech on  
of Commons did well and worthily appear, in censuring that ill-advised Member the last Day,  
that Occasion.  
for trenching so far into their antient Liberties; and  
might encourage each worthy Servant of the Public  
here, to offer up freely his Counsel and Opinion:  
Yet, since these Walls cannot conceal from the  
Ears of captious, guilty and revengeful Men with-  
out, the Counsel and Debates within; I will en-  
deavour, as my clear Mind is free from any per-  
sonal Distaste of any one, so to express the honest  
Thoughts of my Heart, and discharge the best  
Care of my Trust, as no Person shall justly tax  
my innocent and public Mind; except his Con-  
science shall make him guilty of such Crimes as  
worthily have, in Parliament, impeached others in  
elder Times. I will therefore, with as much Bre-  
vity as I can, set down how these Disorders have,  
by Degrees, sprung up in our own Memories; how  
the Wisdom of the best and wisest Ages did of old  
redress the like; and, lastly, what modest and du-  
tiful Course I would wish to be followed by our-  
selves, in this so happy Spring of our hopeful Master.  
For, Mr. Speaker, we are not to judge, but to pre-  
sent: The Redress is above *ad Querimoniam Vulgi*.

Now, Mr. Speaker, so long as those attended  
about our late Sovereign Master, now with God,  
as had served the late Queen of happy Memory,  
Debts of the Crown were not so great; Commis-  
sions and Grants not so often complained of in  
Parliament; Trade flourished; Pensions not so  
many, tho' more than in the late Queen's Time,  
for they exceeded not 18,000l. now near 120,000l.  
all Things of Moment were carried by public  
Debate at the Council-Table; no Honours set to  
Sale;

(m) Taken from his Posthumous Works, published by Mr.  
Newell, Anno 1651.

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An. 2. Charles I.  
1625. Sale; nor Places of Judicature; Laws against Priests and Recusants were executed; Report of *Papists* to Ambassadors Houses barred and punished; his Majesty, by daily Direction to all his Ministers, and, by his own Pen, declaring his Dislike of that Profession; no wasteful Expences in fruitless Ambassages, nor any transcendent Power in any one Minister. For Matters of State, the Council-Table held up the fit and ancient Dignity. So long as my Lord of *Somerset* stood in State of Grace, and had, by his Majesty's Favour, the Trust of the Signet Seal, he oft would glory justly, that there passed neither to himself, or his Friends, any long Grants of his Highness's Lands or Pensions: For of that which himself had, he paid 20,000 l. towards the Marriage-Portion of the King's Daughter. His Care was to pass no Monopoly or illegal Grant; and that some Members of this House can witness by his Charge unto them. No giving way to the Sale of Honours, as a Breach upon the Nobility, (for such were his own Words) refusing Sir *John Roper's* Office, then tended to procure him to be made a Baron. The Match with *Spain* then offered, (and with Condition to require no further Toleration in Religion than Ambassadors here are allowed) he, discovering the double Dealing and the Dangers, dissuaded his Majesty from; and left him so far in distrust of the Faith of that King, and his great Instrument *Gondomar*, then here residing, that his Majesty did term him long Time after a *Jugling Jack*. Thus stood the Effect of his Power with his Majesty when the Clouds of his Misfortune fell upon him. What the future Advices led in, we may well remember. The Marriage with *Spain* was again renewed: *Gondomar* declared an honest Man: *Papery* heartened, by employing suspected Persons for Conditions of Conveniency: The Forces of his Majesty in the *Palatinate* withdrawn, upon *Spanish* Faith improved here and believed, by which his Highness's Children have lost their Patrimony; and more Money been spent in fruitless

A.M.

Ambassages, than would have maintained an Army fit to have recovered that Country. Our old and fast Allies disheartened, by that tedious and dangerous Treaty: And the King our now Master exposed to so great a Peril, as no wise and faithful Council would ever have advised. Errors in Government, more in Misfortune by weak Counsels, than in Princes.'

\* The Loss of the County of *Poynetis* in *France*, was laid to Bishop *Wickham's* Charge in the first of *Richard II.* for persuading the King to forbear sending Aid when it was required: A Capital Crime in Parliament. The Loss of the Duchy of *Maine* was laid to *De la Pole Duke of Suffolk*, 28. *Henry VI.* in singly and unwisely treating of a Marriage in *France*.\*

\* A Spanish Treaty lost the *Palatinate*.—Whose Counsel hath pronounced so great Power to the Spanish Agent (as never before) to effect Freedom to so many Priests as have been of late; and to become a Sollicitor almost in every Tribunal for the ill-affected Subjects of the State, is worth the Inquiry?\*

\* What Grants of Impositions, before crossed, have lately been complained of in Parliament? As that of *Ale-Houses, Gold Thread, Pretermitted Customs*, and many more; the least of which would have, 50. *Edward III.* been adjudged in Parliament an heinous Crime, as well as those of *Lyon* and *Latymer*.\*

\* The Duke of *Suffolk* in the Time of *Henry VI.* in procuring such another Grant, in Derogation of the Common Law, was adjudged in Parliament.\*

\* The Gift of Honours, kept as the most sacred Treasure of the State, now set to Sale. Parliaments have been Suitors to the King to bestow those Graces; as in the Times of *Edward III.* *Henry IV.* and *Henry VI.* More now led in, by that Way only, than all the Merits of the best Deservers have got these last 500 Years. So tender was the Care of elder Times, that it is an Article

An. 1. Charles I. 28. *Henry VI.* in Parliament against the Duke of  
1625. *Suffolk*, that he had procured for himself, and some  
few others, such Titles of Honour, and those so  
irregular, that he was the first that ever was Earl,  
Marquis, and Duke of the self-same Place. *Ed-  
ward I.* restrained the Number, in Policy, that  
would have challenged a Writ by Tenure: And  
how this Proportion may suit with the Profit of  
the State, we cannot tell. Great Deserts have  
now no other Recompence than costly Rewards  
from the King; for, we are now at a vile Price of  
that which was once inestimable. If worthy Per-  
sons have been advanced freely to Places of greatest  
Trust, I shall be glad. *Spencer* was condemned  
in the 14. *Edward II.* for displacing good Servants  
about the King, and putting in his Friends and Fol-  
lowers; not leaving, either in the Church or Com-  
mon-Wealth, a Place to any, before a Fine was  
paid unto him for his Dependence. The like in  
part was laid by Parliament on *De la Pole*. It can-  
not but be a sad Hearing unto us all, what my Lord  
Treasurer lately told us of his Majesty's great  
Debts, high Engagements, and present Wants:  
The Noise whereof I wish may ever rest inclosed  
within these Walls. For, what an Encouragement  
it may be to our Enemies, and a Disheartning to  
our Friends, I cannot tell. The Danger of those,  
if any they have been the Cause, is great and fearful.  
It was no small Motive to the Parliament, in the  
Time of *Henry III.* to banish the King's Half-  
Brethren for procuring to themselves so large Pro-  
portion of Crown Lands. *Gaveston* and *Spencer*  
for doing the like for themselves, and their Fol-  
lowers, in the Time of *Edward II.* and the Lady  
*Vesey* for procuring the like for her Brother *Beau-  
mont*, was banished the Court. *Michael de la Pole*  
was condemned 10. *Richard II.* in Parliament,  
amongst other Crimes, for procuring Lands and  
Pensions from the King, and having employed the  
Subsidies to other Ends than the Grant intended.  
His Grand-Child, *William Duke of Suffolk*, for  
the like was censured 28. *Henry VI.* The great  
*Bishop*

Bishop of Winchester, 50. Edward III. was put <sup>4. 1. Charles II.</sup> upon the King's Mercy by Parliament, for wafting in Time of Peace, the Revenues of the Crown, and Gifts of the People; to the yearly Oppression of the Common-Wealth. Offences of this Nature were urged, to the ruining of the last Duke of *Somerset* in the Time of Edward VI. More fearful Examples may be found, too frequent in Records. Such Improvidence and ill Counsel led Henry III. into so great a Strait, as after he had pawned some Part of his foreign Territories, broke up his House, and sought his Diet at Abbes and Religious Houses, engaged not only his own Jewels, but those of the Shrine of St. Edward at Westminster; he was in the end not content, but constrained to lay to pawn (as some of his Successors after did) *Magnam Coronam Angliae*, the Crown of England. To draw you out to Life the Image of former Kings Extremities, I will tell you what I found since this Assembly at Oxford, written by a Reverend Man, twice Vice-Chancellor of this Place; his Name was *Goseign*; a Man that saw the Tragedy of *De la Pole*: He tells you that the Revenues of the Crown were so rent away by ill Counsel, that the King was inforced to live *de Tallagiis Populi*: That the King was grown in Debt *quunque centena milia Librarum*: That his great Favourite, in treating of a foreign Marriage, had lost his Master a foreign Duchy: That to work his Ends, he had caused the King to adjourn the Parliament in *Villis & rematis Partibus Regni*, where few People, *propter defectum Hospiti & Victualum* could attend; and by shifting that Assembly from Place to Place, to inforce (I will use the Author's own Words) *illatos paucos, qui remanebant de Communitate Regni, concedere Regi quamvis pessima*. When the Parliament endeavoured by an Act of Resumption, the just and frequent Way to repair the languishing State of the Crown (for all from Henry III. but one, till the 6. Henry VIII. have used it) this great Man told the King it was *ad Dedecus Regis*, and forced him from it: To which the Commons answered,

An. 1. Charles I.  
1625. swer'd, altho' vexati Laboribus & Expensis, nunquam concederent Taxam Regi, untill by Authority of Parliament, resumeret actualiter omnia Pertinentia Coronæ Angliae: And that it was magis ad Deditus Regis, to leave so many poor Men in intolerable Want, to whom the King stood then indebted. Yet nought could all good Counsel work, untill by Parliament that bad great Man was banished; which was no sooner done, but an Act of Resumption followed the Inrollment of the Act of his Exilement. That was a speeding Article against the Bishop of Winchester and his Brother, in the Time of Edward III: that they had ingrossed the Person of the King from his other Lords. It was not forgotten against Gaveston and the Spencers, in the Time of Edward II. The unhappy Ministers of Richard II. Henry VI. and Edward VI. felt the Weight, to their Ruin, of the like Errors. I hope we shall not complain in Parliament again of such.'

' I am glad we have neither just Cause, or undutiful Dispositions, to appoint the King a Counsel to redress those Errors in Parliament, as those 42. Henry III. We do not desire, as 5. Henry IV. or 29. Henry VI. the removing from about the King any evil Counsellors. We do not request a Choice by Name, as 14. Edward II. 3. 5. 11. Richard II. 8. Henry IV. or 31. Henry VI. nor to swear them in Parliament, as 35. Edward I. 9. Edward II. or 5. Richard II. or to lye them out their Directions of Rule, as 43. Henry III. and 8. Henry VI. or desire that which Henry III. did promise in his 42d Year, se Acta omnia per Assensum Magnatum de Concilio suo electorum, & sine eorum Assensu null'. We only in loyal Duty offer up our humble Desires, that since his Majesty hath, with advised Judgment, elected so wise, religious, and worthy Servants, to attend him in that high Employment; he will be pleased to advise, with them together, a Way of Remedy for those Disasters in State, brought on by long Security and happy Peace; and not be led with young and single Counsel.'

Thus ends Sir Robert Cotton.

We

We now return to the *Lords Journals*, for an <sup>An. 1. Charles I.</sup> Affair of no small Moment, since the Consequence of it determined the Fate of this Parliament. It is very lamely inserted in the *Journals* of the Commons, and more so in *Rushworth*; whose Mistakes and Omissions will be particularly distinguished in this Recital.

*August 8.* The former Authorities tell us that this Day the Lords sent a Message to the Commons, ‘ That they had received one from the King, which was to be delivered to the Lords and Commons together, by the Lord Keeper and the Duke of *Buckingham*; and that his Majesty had commanded the Lord Keeper to require the Lord Treasurer, the Lord *Conway*, and Sir *John Cook*, to assist his Grace therein. Upon which Account, the Lords required a present Meeting with their whole House, in the great Hall of *Christ-Church*, if it suited their Conveniency.’ <sup>A grand Conference relating to Religion.</sup>

The Answer returned was, ‘ That the Commons would meet, at the Time and Place appointed, with their Speaker and the whole House. And, as Intimation was given, that there might be Occasion for a worthy Member of their House, in delivering the Message from his Majesty; though it was against the very fundamental Privileges of the House of Commons, yet they gave way to it, with this Proviso; *That he speak, as the King's Servant and Commissioner, and not as a Member of their House.*’

At the same Time, the Commons ordered, within themselves, That, as the Speaker and the whole House went up, if the Lords kept bare, to do the same; if they covered, then the Speaker and the rest to cover also.

*August 9.* The Report of this grand Conference between the two Houses was made in the House of Lords, by [Dr. Abbot] Archbishop of *Canterbury*: And first, on what had been offered by the Commons concerning Religion.

‘ That they presented a Petition, directed to Majesty, desiring this House to join with

An. 1. Charles I.  
1625.

therein; the Effect whereof was, That whereas the Lords and Commons did, at their last Meeting, present a Petition to his Majesty, for Advancement of God's true Religion and suppressing the contrary; unto which his Majesty vouchsafed, as well by his own Mouth, as by the Lord Keeper's, on the 11th of July last, to return such an Answer as gave them Assurance of his Royal Performance thereof; yet, at this Meeting, they find that, on the 12th of July last, his Majesty granted a Pardon unto *Alexander Baker*, a *Jesuit*, and ten other *Papists*; which, as they are informed, was upon the Importance of some foreign Embassador; and that it passed by immediate Warrant, and was recommended by the principal Secretary of State, without paying the ordinary Fees.

Also, That divers Copes, Altars, Chalices, &c. (n) being found in the House of one *Mary Estmond*, in *Dorsetshire*, by two Justices of Peace; they thereupon tendered her the Oath of Allegiance; which, she refusing, they committed her to the Constable, from whom she made her Escape and complained to the King. That the said Secretary of State did write unto these Justices in her Favour; all which they humbly desired his Majesty to take into Consideration, and to give a due, effectual, and speedy Redress therein.

After which the said Petition, Pardon, and Letter were read; and then the Archbishop proceeded with the Report, 'That the Commons insisted much upon three Points: *First*, The Date of the Pardon, being the next Day after the King's Answer delivered to both Houses, by the King's Command. *Secondly*, That the Pardon dispenseth with these Laws, viz. with the Statutes of the 23d and 27th *Eliz.* and the 3d *Jac.* provided to keep his Majesty's Subjects in due Obedience; and with the Statute the 10th of *Edward III.* which directeth, That every Felon, upon Pardon obtained, should be bound to good Behaviour. *Thirdly*, That it

was

(n) These are called in *Rufeworth*, by great Mistake, *several Copies of Letters and other Papers*.

was solicited by the principal Secretary, the Lord <sup>An. 1. Charles I.</sup> Conway; and to this they added these Circumstances.<sup>1625.</sup>

‘ That this *Jesuit*, being formerly imprisoned and now set at Liberty, his Conversation might be dangerous in perverting many of the King’s Subjects. That, heretofore, in the Time of Queen *Elizabeth*, if any were convicted and pardoned, (for she pardoned none before Conviction that their Faults might be first known) they were, also, banished, not to return upon Pain of Death, which is prevented by this Pardon. They concluded, That both this Pardon and Letter were procured by the Importunity of some foreign Embassadors; which was of dangerous Consequence, to give the Subjects here any Dependency upon them.’

The Archbishop having ended, the Lord *Conway* stood up and affirmed, ‘ That tho’ the Pardon was dated the next Day after the King’s Promise to the Parliament, yet it was no Breach thereof. For it was granted long before; and his Lordship shewed, That, at *Christmas* last, his late Majesty promised to the Marquis *de Villa Clara*, the *French* Ambassador, certain Graces and Privileges to the *Papists*; that the Marquis *D’Effiat* did, afterwards, obtain the like, to the End that the Queen might come the more easy hither; and the Duke *de Cheverœux* his Majesty’s Kinsman, who brought the Queen over, had importuned him that he might also carry Home the like Graces.’

‘ That the Pardon passed by immediate Warrant, to take off the continual Importunity of the Embassadors to the King; and he, being Secretary of State, solicited it himself; but it was at his Majesty’s Command, to take off all Imputation from himself; and not out of any Affection of his to that Religion which he ever hated.’

‘ As touching the Non-payment of the Fees, his Lordship said, That Mr. *Benbowe* demanded 50 l. for them; and the Ambassador complaining thereof

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An. 1. Charles I. to the King, he commanded him to see that no  
1625. Fees should be taken.'

' That the Duke de Chevereux importuned the King to write that Letter, himself, in Favour of Mrs. *Esmond*; and he, as Secretary, was forced and commanded to do it, rather than that his Majesty should. The said Duke complained much of the Justices hard Carriage unto her, but he never heard any thing of her obstinate Behaviour to them; nor of any Copes, nor Altars, found in her House; wherefore he wrote, also, to be advertised of her Offence by them, but was not answered till within these few Days.'

' His Lordship protested his Sincerity to the true Religion, here established; whereof he had formerly given good Testimony, and in which he would persevere. And what he did, in these Matters, was only to take away all Scandal from the King, though it lighted upon himself; and that he did nothing but what he was first, expressly, commanded to do by the King.'

The Lord Keeper affirmed, ' That he received the said Pardon, long before the Date thereof; and if he had made a *Reape* upon the Warrant, as is usual in other Cases, it had born Date with that sealed afterwards. But, that his Lordship deferred the Sealing thereof, in Hopes that the Embassadors would have been gone first, as they were often for going. But, they staying and daily urging the King for the Pardon, he, being again commanded, sealed it at the next general Seal; and so it had Date with the Time of the Seal and not of the Grant. His Lordship, well hoping, upon the Departure of the Embassadors, to have stopped it with his Majesty, otherwise it had been sealed before the King's Promise to the Parliament; and therefore this can be no Breach of the King's Promise.' His Lordship also said, ' That the Ambassador urged his Majesty very much, to give a general Dispensation to the *Papists*; but the King was advised rather to pardon some few of them what was past. Which Counsel, though to be commended,

stended, yet none gave way to it, but much against their Wills ; and his Lordship wished that a Petition might be presented to the King, to stay the like Pardons hereafter.

An. 1. Charles I.  
1625.

Next follows in the *Journals*, a Copy of a Petition to the King, from the Lords and Commons, repeating the aforesaid Evidences ; and that as the Letter and Pardon were drawn from him by the Importunity of foreign Embassadors ; a Course, of late, too frequently practised by his ill-affected Subjects, it was of dangerous Consequence, inducing to a Dependency upon foreign Princes, &c. But as the whole of this would be a Repetition of what is gone before, and besides, as it was never presented, it may well be omitted.

This previous Affair on Religion being settled, which we find the Commons insisted on before they would hear the King's Message ; the Lord Keeper, on the same Day, next proceeded to give the rest of the Report on what passed in the Conference, along with the King's Message and the Consequence of it.

His Lordship began with telling the House, ' That his Majesty had graciously, fully, and in a Parliamentary Manner, answered the Petition concerning Religion, delivered him by both Houses, at *Hampton-Court*, the 7th Day of *July* last ; and had commanded his Lordship to signify to the Lords and Commons, that he had also given Command to the Lord Admiral to deliver his said Answers thereunto, to both Houses ; to be by them disposed, as the Answers of Kings unto Petitions, of that kind, exhibited, are wont to be. And withall to deliver a Message from his Majesty, concerning the great Affairs of his, now in Agitation in the House of Commons.'

That then the Lord Admiral said, ' His Majesty had laid upon him such a Charge ; as, when he did consider his own Weakness, it might utterly discourage him ; were it not that reflecting again upon that Plainness and Sincerity, wherein a King should deal with his People, he found himself the fitter

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An. 1. Charles I. fitter for the Employment; in that he was sure he  
1625. should deliver it without Rhetorick or Art. As concerning the Petition, he could dispatch that in two Words; that is, by giving a full Assurance that all was granted which was desired; but held it fitter, for more Satisfaction, to read the Petition with the Answers annexed; and they were read accordingly, by Mr. Attorney *in hac Virba*:

To the K I N G's Most Excellent Majesty.

*Most Gracious Sovereign,*

The Petition of  
both Houses for  
Execution of the  
Laws against Po-  
pery, and for ad-  
vancing true Re-  
ligion.

I T being infallibly true, That nothing can more establish the Throne, and assure the Peace and Prosperity of the People, than the Unity and Sincerity of Religion: We your most humble and loyal Subjects, the Lords Spiritual and Temporal, and Commons of this present Parliament assembled, hold ourselves bound in Conscience and Duty to represent the same to your sacred Majesty, together with the dangerous Consequences of the Increase of *Papery* in this Land, and what we conceive to be the principal Causes thereof, and what may be the Remedies.

*The Dangers appear in these Particulars.*

- I. In their desperate Ends, being both the Subversion of the Church and State; and the Recklessness of their Spirits to attain these Ends, the Doctrine of their Teachers and Leaders, persuading them, that therein they do God good Service.
- II. Their evident and strict Dependency upon such foreign Princes, as no way affect the Good of your Majesty and this State.
- III. The opening a way of Popularity to the Ambition of any, who shall adventure to make himself Head of so great a Party.

*The principal Cause of the Increase of Papists.*

- I. The Want of the due Execution of the Laws against Jesuits, Seminary Priests, and *Papists*

- *Papish Recusants*; occasioned partly by the Con- An. 2. Charles.  
• nivency of the State, partly by Defects in the 1625.  
• Laws themselves, and partly by the manifold  
• Abuse of Officers.
  - II. The interposing of foreign Princes by their
  - Ambassadors and Agents in Favour of them.
  - III. Their great Concourse to the City, and
  - frequent Conferences and Conventicles there.
  - IV. The open and usual Resort to the Houses  
• and Chappels of foreign Ambassadors.
  - V. The Education of their Children in Semi-  
naries and Houses of their Religion in foreign  
Parts, which of late have been greatly multipli-  
ed and enlarged for the entertaining of the  
English.
  - VI. That in some Places of your Realm, your  
People be not sufficiently instructed in the Know-  
ledge of true Religion.
  - VII. The licentious printing and dispersing of  
*Papish* and seditious Books.
  - VIII. The Employment of Men ill-affected  
in Religion in Places of Government, who do,  
shall, or may countenance the *Papish* Party.

*The Remedies against this outrageous and dangerous  
Disease, we conceive to be these ensuing.*

- I. That the Youth of this Realm be carefully  
educated by able and religious Schoolmasters, and  
they to be enjoined to catechize and instruct  
their Scholars in the Grounds and Principles of  
true Religion. And whereas, by many Com-  
plaints from divers Parts of the Kingdom, it doth  
plainly appear, That sundry *Papish* Scholars, dis-  
sembling their Religion, have craftily crept in,  
and obtained the Places of Teaching in divers  
Counties, and thereby infected and perverted their  
Scholars, and so fitted them to be transported to  
the *Papish* Seminaries beyond the Seas; that there-  
fore there be great Care in the Choice and Admis-  
sion of Schoolmasters, and that the Ordinaries make  
diligent Enquiries of their Demeanors, and pro-  
ceed

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Answ. I. Charles I.  
1625. ' ceed to the removing of such as shall be faulty,  
or justly suspected.

### His MAJESTY'S ANSWER.

And the King's  
Answers. This is well allowed of, and for the better Per-  
formance of what is desired, Letters shall be written  
to the two Archbishops, and, from them, Letters to  
go to all the Ordinaries of their several Provinces to  
see this done; the several Ordinaries to give Account  
of their Doings herein to the Archbishops respectively,  
and they to give Account to his Majesty of their Pro-  
ceedings herein.

II. ' That the antient Discipline of the Uni-  
versities be restored, being the famous Nurseries  
of Literature and Virtue.'

Answ. This is approved by his Majesty, and the  
Chancellor of each University shall be required to cause  
due Execution of it.

III. ' That special Care be taken to enlarge the  
Word of God throughout all the Parts of your  
Majesty's Dominions, as being the most power-  
ful Means for planting of true Religion, and  
rooting out of the contrary: To which End, a-  
mong other Things, let it please your Majesty to  
advise your Bishops, by fatherly Intreaty and  
tender Usage, to reduce to the peaceable and or-  
derly Service of the Church, such able Ministers  
as have been formerly silenced, that there may be  
a profitable Use of their Ministry in these needful  
and dangerous Times: And that Nonresidency,  
Pluralities, and Commendams, may be moderated.  
Where we cannot forbear most humbly to thank  
your Majesty, for diminishing the Number of your  
own Chaplains; ; not doubting of the like prince-  
ly Care for the well-bestowing of the rest of  
your Benefices, both to the Comfort of the People,  
and the Encouragement of the Universities, being  
full of grave and able Ministers unsupplied with  
Livings.'

Answer. This his Majesty likes well, so it be ap-  
plied to such Ministers as are peaceable, orderly, and  
conformable to the Church Government. For Plura-  
lities

ties and Nonresidencies, they are now so moderated, An. 1. Charles I.  
 that the Archbishops affirm, there be now no Dispensations for Pluralities granted; nor no Man is allowed above two Benefices, and those not above thirty Miles distant: And for avoiding Nonresidence, the Canon, in that Case provided, shall be duly put in Execution. For Commendams, they shall be sparingly granted, only in such Case where the Exility and Smallness of the Bishoprick requireth. Also his Majesty will cause that the Benefices belonging to him shall be well bestowed. And, for the better propagating of Religion, his Majesty recommendeth to the Houses of Parliament, that Care may be taken, and Provision made, that every Parish shall allow a competent Maintenance for an able Minister; and that the Owners of Parsonages inappropriate would allow to the Vicars, Curates, and Ministers, in Villages and Places belonging to their Parsonage, sufficient Stipend and Allowance for preaching Ministers.

IV. ' That there may be strict Provision against transporting of English Children to the Seminaries beyond the Seas, and for the recalling of them who are already there placed; and for the Punishment of such your Subjects, as are Maintainers of those Seminaries or of the Scholars; considering that, besides the seducing of your People, great Sums of Money are yearly expended upon them, to the impoverishing of this Kingdom.'

Answ. *The Law in this Case shall be put in Execution. And further, there shall be Letters written to the Lord Treasurer, and also to the Lord Admiral, That all the Ports of this Realm, and the Creeks and Members thereof, be strictly kept, and strait Searches made to this End. A Proclamation shall be to recall both the Children of Noblemen and the Children of any other Men; and they to return by a Day: Also Maintainers of Seminaries of Scholars there, shall be punished according to Law.*

V. ' That no Popish Recusant be permitted to come within the Court, unless your Majesty be pleased to call him upon special Occasion, agreeable to the Statute of 3. Jac. And whereas

' your

An. s. Charles I.  
1625.

' your Majesty, for the preventing of apparent  
 ' Mischiefs, both to your Majesty and the State,  
 ' hath, in your princely Wisdom, taken Order,  
 ' that none of your natural-born Subjects, not pro-  
 ' fessing the true Religion by Law established,  
 ' be admitted into the Service of your Royal  
 ' Consort the Queen, we give your Majesty most  
 ' humble Thanks, and desire that your Order  
 ' herein may be observed.'

*Ans. If his Majesty shall find, or be informed  
 of any Concourse of Recusants to the Court, the Law  
 shall be strictly followed. And his Majesty is pleased,  
 that, by Proclamation, the British and Irish Subjects  
 shall be put in the same Case. And as his Majesty  
 hath provided in his Treaty with France, so his Pur-  
 pose is to keep it, That none of his Subjects shall be  
 admitted into his Service, or into the Service of his  
 Royal Consort the Queen, that are Popish Recusants.*

VI. ' That all the Laws now standing in force  
 ' against Jesuits, Seminary Priests, and others ha-  
 ' ving taken Orders by Authority derived from  
 ' the See of Rome, be put in due Execution. And  
 ' to the Intent they may not pretend to be surpri-  
 ' zed, that a speedy and certain Day be prefix'd  
 ' by your Majesty's Proclamation for their Depar-  
 ' ture out of this Realm, and all other your Domi-  
 ' nions, and not to return upon the severest Penal-  
 ' ties of the Law now in force against them : And  
 ' that all your Majesty's Subjects may be thereby  
 ' admonished not to receive, comfort, entertain,  
 ' or conceal any of them, upon the Penalties  
 ' which may be lawfully inflicted. And that all  
 ' such Papists, Jesuits, and Recusants, who are  
 ' and shall be imprisoned for Recusancy, or any  
 ' other Cause, may be so strictly restrained, as that  
 ' none should have Conference with them, thereby  
 ' to avoid the Contagion of their corrupt Religion :  
 ' And that no Man, that shall be suspected of Pope-  
 ' ry, be suffered to be a Keeper of any of his  
 ' Majesty's Prisons.'

*Ans. The Law in this Case shall be put in Exe-  
 cution, and a Proclamation shall be to the Effect de-  
 sired ;*

*fired; and such Restraint shall be made, as is desired; An. 1. Charles I.  
and no Man, that is justly suspected of Popery, shall  
be suffered to be a Keeper of any of his Majesty's Pri-  
sons.*

VII. ‘That your Majesty be pleased to take  
such Order, as to your princely Wisdom shall  
be expedient, That no natural-born Subject, or  
strange Bishops, nor any other by Authority from  
the See of Rome, confer any Ecclesiastical Orders,  
or exercise any Ecclesiastical Function whatso-  
ever, toward or upon your Majesty's natural-  
born Subjects within your Dominions.’

Answ. *This is fit to be ordered according as is  
provided; and it shall be so published by Proclama-  
tion.*

VIII. ‘That your Majesty's learned Counsel  
may receive Order and Commandment to consi-  
der of all former Grants of Recusants Lands,  
that such of them may be avoided as are made  
to the Recusants Use or Interest, or out of which  
the Recusant receiveth any Benefit, which are  
either void, or voidable by the Law.’

Answ. *The King will give Order to his learned  
Counsel to consider of the Grants; and will do accord-  
ing as is desired.*

IX. ‘That your Majesty will be likewise plea-  
sed strictly to command all your Judges and Mi-  
nisters of Justice, Ecclesiastical and Temporal,  
to see the Laws of this Realm against *Popish Re-  
cusants*, to be duly executed: And namely, that  
the Censure of Excommunication be declared and  
certified against them; and that they be not ab-  
solved but upon public Satisfaction, by yielding to  
Conformity.’

Answ. *His Majesty leaves the Laws to their  
Course, and will order in the Point of Excommuni-  
cation as is desired.*

X. ‘That your Majesty will be pleased to re-  
move from Places of Authority and Govern-  
ment, all such Persons as are either *Popish Recu-  
sants*, or, according to Direction of former Acts  
of State, to be justly suspected.’

Answ.

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An. 1. Charles I. 1625. Answ. ‘This his Majesty thinks fit, and will give order for it.

XI. ‘That present Order be taken for disarming all Popish Recusants, legally convicted, or justly suspected, according to the Laws in that Behalf, and the Orders taken by his late Majesty’s Privy Council upon Reasons of State.’

Answ. *The Laws and Acts in this Case shall be followed, and put in due Execution.*

XII. ‘That your Majesty be also pleased, in respect of the great Resort of Recusants to and about London, to command forthwith, upon Pain of your Indignation, and severe Execution of the Laws, that they retire themselves to their several Countries, there to remain confined within five Miles of their Places.’

Answ. *For this the Laws in force shall be forthwith executed.*

XIII. ‘And whereas your Majesty hath strictly commanded and taken Order, that none of your natural born Subjects repair to the hearing of Masses, or other superstitious Service at the Chapels or Houses of foreign Ambassadors, or in any other Places whatsoever; we give your Majesty most humble Thanks, and desire that your Order and Commandment therein may be continued and observed, and that the Offenders herein may be punished according to the Laws.’

Answ. *The King gives Assent thereto, and will see that observed which herein hath been commanded by him.*

XIV. ‘That all such Insolencies, as any that are popishly affected have lately committed, or shall hereafter commit to the Dishonour of our Religion, or to the Wrong of the true Professors thereof, be exemplarily punished.’

Answ. *This shall be done as is desired.*

XV. ‘That the Statute of 1. Eliz. for the Payment of Twelve-pence every Sunday, by such as shall be absent from divine Service in the Church, without a lawful Excuse, may be put in due Execution, the rather, for that the Penalty, by Law,

‘is

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is given to the Poor, and therefore not to be dispensed withall.' An. 1. Charles I.  
1625.

Answ. It is fit that this Statute be executed, and the Penalties shall not be dispensed withall.

XVI. Lastly, That your Majesty would be pleased to extend your princely Care also over the Kingdom of Ireland, that the like Courses may be there taken for the restoring and establishing of true Religion.'

Answ. His Majesty's Cares are, and shall be extended over the Kingdom of Ireland; and he will do all that a religious King should do for the restoring and establishing of true Religion there.

' And thus, most gracious Sovereign, according to our Duty and Zeal to God and Religion, to your Majesty and your Safety, to the Church and Common-Wealth, and their Peace and Prosperity, we have made a faithful Declaration of the present Estate, the Causes and Remedies of this increasing Disease of Popery, humbly offering the same to your princely Care and Wisdom. The Answer of your Majesty's Father, our late Sovereign, of famous Memory, upon the like Petition, did give us great Comfort of Reformation; but your Majesty's most gracious Promises made in that Kind, do give us Confidence and Assurance of the continual Performance thereof; in which Comfort and Confidence reposing ourselves, we most humbly pray for your Majesty's long Continuance in all princely Felicity.'

The Petition and Answers being read, the Lord Admiral said, ' That as his Majesty took well their putting him in Mind of his Care for Religion; so he would have done and granted the same Things, tho' they had never petitioned him. Neither did he place this Petition, in this Order, as a Wheel to draw on other Affairs and Desigins; but leaves them to move in their own Spheres, as being of sufficient Poise and Weight within themselves. What was done in this Petition, came from these two Fountains, Conscience and Duty to his Father; The Duke of Buckingham gives the King's Reasons for opposing the Petition.

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Mr. <sup>1.</sup> Charles, who, in his last Speech, recommended unto him  
1625. *the Person, but not the Religion of his Queen.*

Then his Grace signified, ‘That, by the King’s Commands, he was to give, to both Houses, an Account of the Fleet, and all the Preparations thereof; which he did in this Manner:

His Account of  
the Preparations  
for the Fleet,  
and the State of  
Affairs in Christendom.

\* That the first and last Time he had the Honour to speak in this Auditory, it was on the same Business; and then he was so happy as to be honoured and applauded by both Houses: And he made no Question but, speaking with the same Heart, and on the same Business, he should be so now: For, if they looked upon the Change of Affairs in Christendom, they could not think it less than a Miracle. Then the King of Spain was sought and courted by all the World; he was become Master of the *Valteline*; had broke all *Germany* in Pieces, and was possessed of the *Palatinate*. The Princes of *Germany* were weak, and not able to resist; and, by reason of his Master’s Neutrality, caused by a Treaty, he kept all other Kings and Princes in Awe. Now, on the contrary, the *Valteline* is at Liberty; the War is proclaim’d beyond the *Alps*; the King of *Denmark* is in Arms, with 17,000 Foot and 6000 Horse, besides Commissions to make them up 30,000; the King of *Sweden* is also interested; the Princes of the *Union* are revived; the King of *France* is engaged against *Spain*, and, for that Purpose, having made Peace with his own Subjects, hath joined and confederated himself with *Savoy* and *Venice*. Why should not he, therefore, hope for the same Success; considering that, since the Time of his last Speech to both Houses, there was not one Action, or a Thought of his, that levelled at any other than one and the same Object, which was to please their Desires? If he should credit all Rumours, which he would not do, he should speak with some Confusion of Fear to hold the same Place he formerly did in their Affections: But, having still the same virtuous Ambition, and considering his own Heart to the King and State, he could

find

find no Cause of Alteration, but was all Courage  
and Confidence.'

An. 1. Charles I.  
1645.

Here the Duke made a Request to the House of Commons, ' That if any Man had spoken or should speak any Thing, in Discharge of his Conscience, Zeal of Reformation, or Love to his Country, which may seem to reflect upon some particular Persons, he may be the last that shall apply it to himself : Because he is confidently assured of two Things ; first, That they are so just as not to fall upon him without Cause, who was so lately approved by them. And, secondly, That himself shall deserve nothing that shall misbecome a faithful Englishman.'

This Preamble to the Duke's ensuing Speech is almost wholly omitted in *Rushworth*; but for what Reason we know not, since we have not yet met with a more pathetical one thro' the whole Course of these Enquiries. Herein is included a most succinct Account of the then present State of the Christian World; which evidently shews that the Duke of Buckingham, whatever he was as a Minister, was both a very great Politician, and an excellent Orator.

The Lord Keeper next proceeded to give the remaining Part of his Report, which was the Sequel of the Duke's Speech. He said his Grace chose rather to proceed in it by way of Question and Answer, than in one continued Speech, as being the speedier Way and Means to yield Satisfaction to the Commons. He would take his Rise, he said, from the Breach of the Treaties and Alliance, and put some Questions to himself, yet none but such as should be material to the Business in Hand. That his Grace did move twelve, which the Lord Keeper said he would enlarge, for Clearness and Perspicuity's Sake, into fourteen Questions. The first was,

Quest. 1. By what Counsels the Designs and Actions of War were carried on and enterprized? And the Conduct of the War.

Answer. ' By the Advice of Parliament : And this his Grace proved by the Act of both the  
B b 2 Houses,

An. 1. Charles I.  
1625.

Houses, March 24, 1623, which was read; and then his Grace proceeded and said. Here you see, my Lords and Gentlemen, that his Majesty, moved by this Council, applied himself accordingly for the Defence of the Realm, the securing of Ireland, the assisting our Neighbours, the States of the United Provinces, and other our Friends and Allies.

‘ And for the setting forth of the Navy Royal, the King, looking into his Purse, saw enough to do all the former Actions, but not the latter: For when he came to consider the Navy, there was neither Money nor Preparations; yet, looking upon the Affairs of Christendom, he found this the most necessary. Hereupon his Majesty, of famous Memory, did his Grace that Honour as to write to him from Newmarket to London, a Letter to this Effect,

‘ That, observing foreign Affairs, he found it necessary that a Royal Fleet should be prepared, and put in Readiness; but that he had no Money:

‘ Wherefore his Lordship and his Friends must lay out, and, no doubt, others would follow. And,

‘ by this Means, the King might the longer be concealed and undiscovered in the Enterprize, as bearing the Name of the Subjects only; and other Princes, in hopes to draw him on, would sooner come to the Business.’

‘ That, upon this Letter, his Grace leap’d into the Action with all Alacrity; and, having received all he had from his Majesty, was desirous, and held it a Happiness, to pour it out again upon his Service and Occasions. But this he did not on his own Head, but fortified by the Advice and Counsels of these worthy Persons, the Lord Conway, the Lord Chichester, Lord Grandison, Lord Carey, Lord Brook, Lord Ley, Sir Robert Mansell, and Sir John Cook.’

‘ Their first Consultation was of a War, the next of the Means; but both the one and the other was justified by more than himself. He never did any Thing but by them, nothing was ever resolved or altered but in their Company; for either he repaired to them, or else they did him that Honour,

nour, as his Grace term'd it, to resort to his Chamber. And, when all was digested and prepared, and that they came to proportion Time and Levies, then, with the King's Leave, the Business was imparted to all the Lords of the Council; the Account was made to them, and allowed by them; who said there openly, his Majesty being present, That if this was put in Execution, it would do well; and gave some Attributes to it.'

Here Sir John Cook justified the shewing and approving of their Accounts, at the Council Table; that those Accounts consisted of long Particulars for Soldiers to be levied, Matiners to be pressed, Forwardness of the Ships and Provisions, and that nothing was wanted but Money; and that he had all those Particulars ready to be shewn to the House of Commons, if they should require them.

His Grace then proceeded and shewed, 'That he was so religious to guide these great Affairs by Counsel, that, at his Journey into France, which fell out about this Time, he desired his Majesty to recommend the Business to a select Committee of the Council; which his Majesty did to the Lord Treasurer, the Lord Chamberlain, the Lords Conway and Brook, who, in his Absence, took Care of the same. This his Grace thought fit to tell their Lordships, that they may see by what Counsel this great Business was carried; and that, in all the Management thereof, he took no Steps but by their Approbation.'

Quest. 2. *Why did not his Majesty declare the Enemy presently, upon the granting of the two Subsidies?*

Answer. ' His Majesty considered the State of Christendom at that Season, and found it full of Danger to declare the Enemy, for three Reasons: First, Because that great Enemy would be more prepared. Secondly, Spain, being the Enemy, our Merchants would be embargoed, who are now drawn home. Thirdly, Our Friends, finding us so long unprepared, after our Declaration, had despaired,

An. 1. Charles I,  
1625.

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An. 1. Charles I. spaire, and never believed any Thing of our Intentions.  
1645.

Quest. 3. Whether this vast Sum of 300,000 l. bestowed upon the Navy, together with 40,000 l. more to be now employed, and 60,000 l. at the Return, be so frugally husbanded as was fit?

Answer. ‘That his Grace refers to Sir John Cook’s Accounts, which the House of Commons may peruse; and when Sir John has done, the particular Officers should be ready to justify it with their Accounts.’

Here Sir John Cook interposed, tho’ he had already shewed this Account, and said, ‘That the Duke had laid out of his own Money 44,000 l. and the Treasurer of the Navy, at his Request, above 50,000 l.’ To this his Grace added, ‘That all this borrowed Money was managed, by the proper Officers, as if it had issued out of the Exchequer, and had not been borrowed elsewhere.’

Quest. 4. Whether a considerable Sum of Money be yet required?

Answer. Forty thousand Pounds is yet necessary; but that our Master was quite exhausted; his Treasure anticipated, his Lands engaged, his Plate offered to be pawn’d, but not accepted; and yet his Majesty must be maintained.’

Quest. 5. Whether this Fleet was ever intended to go out or not?

Answer. ‘There has been some flying Rumour to that Effect. But what Policy was it in the King, with the Charge of 400,000 l. only to amaze the World, cozen his People, and put you to such a Hazard? What should he get by an Act that should make him blush when he met his Parliament again? Certainly the King would never employ such a Sum, but when the Affairs of Christendom made it necessary to do it; and it was done with an Intention to set it out with all the Speed possible.’

Quest. 6. Why was not this Want of Money foreseen in the first Project of the whole Service; but now

now only thought upon unexpectedly, and dangerously, An. 1. Charles I.  
1625.  
considering the Sickness: Why not before the last Ad-  
journment, whereby we are called upon at so unseasam-  
able a Time?

*Answer.* ‘ It was foreseen before, but interrupt-  
ed by unfortunate Accidents. First, The Death  
of the late King. Secondly, The Funeral; which,  
for Decency’s Sake, could follow no sooner. Third-  
ly, The Journey into France, and the Marriage;  
which procured more Delays than were expected,  
but were necessary.’

‘ Since the Opening of this Parliament, his Ma-  
jesty declared his Necessity; and told you plainly,  
That this Sitting must not be for Counsel, but Re-  
solution. And when he received the Grant of  
the two *Subsidies*, he understood that Money to be  
but a Matter of Custom, to welcome him to the  
Crown; and intended, when they were presented  
to him, to dilate more at large, as afterwards he  
did by Sir John Cook.’

*Quest. 7. Who gave the Counsel to meet so sud-  
denly, when the Sickness was so dangerously spread?*

*Answer.* ‘ His Majesty commanded him to say,  
That it was the Business itself that gave the Coun-  
sel, with the Necessity of it, else the King would  
not have hazarded the two Houses, and the rest of  
the Kingdom, by its spreading. If he had been  
able any way, without your Help, to have set out  
the Navy, he would have done it, and relied upon  
you for a Supply afterwards’

‘ If it be a Fault, as I see none, said the Duke,  
why should the Realm and the Occasions of the State  
of *Christendom* suffer for it? If it be undertaken  
for your Good and the King’s Honour, now in  
building, as also for the State of *Christendom*, why  
should a particular mean Fault make it miscarry?  
I hope your Wisdom will so pierce thro’ it, as to  
set the Affair forward.’

*Quest. 8. Why should not the King help on this Oc-  
casion with his own Estate?*

*Answer.* ‘ Judge you whether he doth not; for,  
observing the great Gift you gave the Session before  
last,

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An. 7. Charles I.  
1625. last, he was unwilling to take any more from you, and laid out all his Estate upon the Enterprize; and will do so again when he shall be enabled.'

Quest. 9. *Is not the Time of the Year too far spent for the Navy to go forth?*

Answer. 'The King answered this the last Day; Better half the Navy should perish, than the Going forth thereof should be stopped. It would shew such Want of Counsel and Experience in the Design; such Want of Courage, Weakness and Beggarliness, in not being able to go thro' with it. And, for the Time, there were only three Ends proposed by this Service, and the Time of the Year is yet seasonable for any of them. He could demonstrate the same, if the Design was to be published; which your Wisdom would not think fit to have done.' — Here the Duke said he would satisfy the Houses in some other Things.

Quest. 10. *Whether these eight Ships, lent the French King, to be employed against the Rochellers, were not paid with the Subsidy Money?*

Answer. 'These eight Ships were, first, employed at the Charge of the French King. Secondly, It is not always fit for Kings to give Account of their Counsels. Judge the Thing by the Event.'

Quest. 11. *Whether, having been employed to break with Spain, the Duke made not a worse Match with France, and upon harsher Conditions?*

Answer. 'He hoped the contrary would appear by the King's Answer to their Petition; and he assured them his Majesty had broken no Public Faith in giving the said Answers.'

Quest. 12. *Did not the Duke serve us in breaking the Peace with Spain, out of particular Spleen and Malice to Count Olivares?*

Answer. 'There was no Cause for him to hate Olivares, he was the Means to make his Grace happy; for, out of his Hands, his Grace gained the Love of a Nation, which before thought not so well of him. He is not vindictive in his Temper; he can forgive those who had no such natural Respect to that Country as Olivares had. Neither  
doth

doth his Grace love that any Man should be an Instrument, by ill Means, to do a good Action ; as Olivares intended to do, to serve his Master and Kingdom, by indirect Means. And he can further prove that he is not vindictive, for he could forgive one of our own Nation who concurred with Olivares. But he thought proper to let that Busines sleep ; which, if it should awake, would prove a Lion to devour him who was the Author of it ; meaning one of our own Nation who co-operated with Olivares (o).

*Quest. 13.* Will it not be objected, That hitherto the Duke speaks of nothing but immense Charges, which the Kingdom is not able to bear ; as, to the King of Denmark, 30,000 l. a Month ; to Count Mansfield, 20,000 l. to the Low Countries, 8000 l. to Ireland, 2600 l. a Month ; besides the backing of the Fleet with a Supply, for which twelve of his Majesty's Ships are now in preparing ?

*Answer.* ' Make the King chief of the War, by a Diversion of this Kind, and he will give a greater Advantage to all his Allies, than by allowing 50,000 l. nay 100,000 l. a Month. What is it for his Allies to scratch with the King of Spain ; to win a Town To-day, and to lose it To-morrow ? It is almost impossible to hope for a Conquest of this Kind, the Spanish King being so able by Land : But let the King, our Sovereign, be Master of the Wars elsewhere, and make a Diversion ; and let the Enemy be compelled to spend his Money and Men in other Places, and our Allies, in these Parts, will be suddenly and imperceivably strengthened and enabled ; and, by this Kind of War, (which is certainly meant a Naval one) you send no Coin out of the Land ; you send nothing but Beef, Mutton (p), and Powder ; by which the Kingdom is not impoverished, but may make good Returns.'

*Quest. 14. But where is the Enemy ?*

An-

(o) The Earl of Bristol.

(p) The Journals and Rufford's by Marion ; but it should seem rather to be Pork.

An. 1. Charles L.  
1625.

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AN. I. Charles I.  
1625. *Answer.* ' Make the Fleet ready to go out, and  
the King had given him Command to bid you  
name the Enemy yourselves. Put the Sword into  
his Majesty's Hands, and he will employ it to your  
Honour, and the Good of true Religion. As you  
issue nothing that is lost, so it will bring home some-  
what again; and from henceforth maintain the  
War by the Perquisites thereof. Make but once  
an Entrance, it may afterwards be maintain'd with  
Profit. When the Enemy is declared, you may  
have Letters of Marque; none shall be denied.  
And I have not been so idle, says his Grace, but I  
shall make Propositions for venturing; whither  
yourselves may go, and may have the Honey of  
the Business.'

*Lastly,* The Duke told us, ' That the King com-  
manded him to admonish the Assembly to take  
Care of the Season and their own Health; for, if  
they lost Time, no Money could purchase it again.  
His Grace concluded with this Apology: If, in  
this Relation, thro' my Weakness, I have injured  
the King's Affairs and those of the State of Bri-  
stoland, I crave your Pardon: My Intentions were  
good.'

It has been thought proper to transcribe the  
whole of this long Report from the *Journals of the  
Lords*, since it is very incorrectly given in *Rush-  
worth*; and many Omissions made, not quite  
consistent with the Credit or Character of an  
exact Collector, as any Reader may find who  
will take the Trouble to compare both. We next  
proceed to give the rest of the Lord Keeper's Re-  
port, concerning what the Lord High Treasurer  
said at the Conference, relating to the King's  
Estate.

The Lord Treas-  
urer's Account  
of the K. g's E-  
state.

' The Treasurer produced a Paper, wherein he had  
set the same down, according as his Memory and the  
Time would permit him on the sudden. And he  
divided the same into three Parts: 1. The Estate  
the late King left. 2. The Estate the King now  
stands

stands in. 3. How it will be in the future. And An. I. Charles I.  
1625. the first of these he again divided into other three Parts ; the late King's Debts ; Anticipations ; and Engagements.'

1. ' His Debts were to the City of *London*, and some Gentlemen, borrowed upon the Privy Seal and Lords Bonds, 120,000 l. besides growing Interest. The Wardrobe 40,000 l. at the least, Part whereof is due to poor People. To the King of *Denmark*, 75,000 l. and the Interest ; which was borrowed for the *Palatinate*. Arrears for Pensions, a large Sum, but not cast up. To his Household, a great Sum ; which his Lordship left to the Officers thereof to relate to the Commons.'

' The Anticipations made by the late King of his Rents, before they were due, came to 50,000 l. which was presently bestowed on this Occasion, the Fleet.'

' His Engagements were, for the Pay of 6000 Foot in the *Low Countries* ; of 10,000 Foot under Count *Mansfield* ; and for the Rigging, Victualing, and Providing this great Navy, not the like in our Memory.'

2. ' Concerning the State of the King, as it now stands, his Lordship divided the same into Debts and Disbursements, which he defrays out of his own Coffers ; that his Father's Debts, Anticipations, and Engagements, lie ill upon him. His own Debts, as Prince, come to 70,000 l. at the least, it is feared 90,000 l. For Payment whereof his Majesty hath engaged those Lands he then had, and the Commissioners Bonds. This great Occasion brought his Majesty, when he was Prince, thus into Debt ; for he then gave 20,000 l. to the Navy, and 20,000 l. to Count *Mansfield*, besides other great Gifts that Way ; whereas, before, he owed very little, to his Lordship's own Knowledge.'

' The King's Disbursements defrayed out of his own Coffers ; to the King of *Denmark*, 46,000 l. to the Soldiers at *Plymouth* and *Hull*, 16,000 l. for Mourning and Funeral, 12,000 l. paid, and 16,000 l. to pay. Expences of the Queen's Entertainment,

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An. 1. Charles I. tainment of Ambassadors in Diet and Gifts, 40,000l.  
1625. advanced to the Queen, 50,000 l. to the King  
and Queen of Bohemia, 11,000 l. to the Navy,  
300,000 l. and 100,000 l. to be disbursed, viz.  
40,000 l. now, and 60,000 l. at the Return.'

3. 'The King's Estate for the future, as in Charges of Continuance, consisted of ten Articles.  
1. Of Debts unpaid, and Interest. 2. Old Anticipations of 50,000 l. 3. Anticipations of new, 200,000 l. taken up by himself, to the emptying of all his Coffers, even of that which should maintain him with Bread and Drink from this Day forward. 4. To the King of Denmark, 30,000 l. per Mensim. 5. To Count Mansfield, 20,000 l. 6. To the Dutch, 8000 l. 7. To Ireland 2600 l. 8. The Queen's Allowance and Diet, 37,000 l. all per Mensim. 9. To the King and Queen of Bohemia, 20,000 l. per Annum. 10. Preparations for Defence of the Realm, and secondeing the Navy.'

'The Lord Treasurer alledged, That certain Sums were omitted, because they were uncertain and before his Time. That no Total was cast up, because he had no Auditor; and promised that himself, or his subordinate Officers, would be ready to give Satisfaction of all or any of these Particulars.'

The Lord Keeper having ended this long Report, which was the Business of a whole Day, the Lords expressed their Approbation of it, and ordered it to be entered on their Journals.

As it hath hitherto been the Purport of these Enquiries to state the Matters of Fact as they happened, and leave them to the Reader's Judgment for Reflection, so here we shall do the same; tho' there's Room for a long Chain of Arguments on the foregoing Report; in which the young King and his Ministers have, seemingly, laid themselves, and the Affairs of State, as naked and open, as the Circumstances of the Times could possibly bear: However, it will soon be found to have been of no Availancē with the Commons.

On

On the very same Day with the former, Aug. 9<sup>th</sup> An. 1. Charles.  
a Report was made in that House of what had been delivered at the Conference, by the Recorder of London, the Sollicitor General, and Mr. Pym.  
1625.

This Report was divided, as before in the Lords, into three Heads: The King's Answer to their Petition about Religion; the Duke's Account of the Fleet, &c. and the Lord Treasurer's Conclusion. But it is all so lame inserted in the Journals of the Commons, and such great Hiat: made in the Recital, that it is impossible to make any Thing of the Matter. The last Part of the Report was given by Mr. Pym; a Name not mentioned before in the Course of this Work, tho' it hath been often met with in the latter Parliaments of King James, as well as in this; yet not hitherto engaged in any Thing material enough for our Notice: But, if this is thought any Slight to the Memory of that great Patriot, it will be amply made up in the Sequel.

One Particular is mentioned in the Commons Journal, not taken Notice of in the Lords; which was, That the Lord Treasurer told them, 'That since their House had first taken Care of Religion, and had received so gracious an Answer to it; therefore they ought now, speedily, to think of a Supply; not of his Majesty's Wants, but of those for the Defence of the Kingdom.'

The Report as above, being delivered, Mr. Maynard, afterwards the famous Sergeant Maynard, stood up and told the House, 'That it was an easy Matter to infest the King of Spain; but he did not like the vast Charge now demanded, which was not to be supported by the Kingdom. That he was not for a War by Land, but by Sea; and there not with Letters of Marque, but for an open War. Was for recommending to his Majesty the Way to live gloriously at home, and how to be feared abroad; by having his Designs better managed, and an Enemy declared. Was against Subsidies in Reversion; but would willingly give, if he knew how; for giving, he said, was adding Spurs to the Sea-Horses. Moved

*An. 1. Charles I.* *Moved for a general Committee to go on these Matters the next Day.'*

On the other Hand, Mr. *Mallet* said, ‘ That it was not proper at this Time to stand too much upon Precedents. That it was plain the House did not regard them, when they tended to straiten the King’s Revenue: For, in the Act of Tonnage and Poundage, which was always, since *Henry VI*’s Time, granted for Life, it is limited now but to the 25th of *March* next, contrary to former Precedents. He moved for a Consideration of the Danger, which might grow by not contenting the King in his just Desires this Parliament.’ Others moved for a grand Committee to go upon these Matters the next Morning at Eight of the Clock; which was agreed to.

*August 10.* Some Naturalization Bills being read, the Chancellor of the Exchequer delivered a Message to the House from the King to this Effect:

*The King’s Message to hasten the Supply.* ‘ That his Majesty, understanding this House intended to enter into Consideration of divers

‘ Heads, concerning the King and Common-  
‘ Wealth, had sent by him this Message: That he  
‘ was well pleased with their good Intentions;  
‘ but desired them to consider that his Affairs re-  
‘ quired a speedy Dispatch. That tho’ the Season  
‘ was far spent, it was yet seasonable; and, if the  
‘ Plague should begin in the Navy, the Action  
‘ would be lost; or, if any here should be touch-  
‘ ed with the Sickness, much Inconvenience would  
‘ ensue by an abrupt breaking up. Therefore he  
‘ desired a present Answer about his Supply: If not,  
‘ he will take Care of their Healths more than they  
‘ themselves, and make as good a Shift for his pre-  
‘ sent Occasions as he could: But, if they would  
‘ now comply, he gave them his Royal Word,  
‘ that in Winter, at what Time they should chuse,  
‘ they should meet again, and hold together till  
‘ they had perfected all those Things for the King  
‘ and Common-Wealth, which are now before  
‘ them. To all which he promised to give such

‘ An-

' Answers, as dutiful and loyal Subjects might expect An. 1. Charles.  
' from a gracious and religious King. *Lately, The 1625.*  
' King desired them to consider, *That this was the*  
' *first Request he ever made unto them.*'

The Debates on this Message and the Supply were this Day very long, above 30 different Members speaking in them: The most material of whose Arguments, *pro and con*, we shall collect, and give as follows:

The Courtiers argued, ' That the Reputation of both King and Kingdom, in point of Honour, was at Stake. That the Preparations now making for War, must have their Movement from Parliament. The Consideration of the disasterous State of the King's Royal Sister; and of Religion in great Danger abroad, which suffered also at home. Consideration of their Confederates; who would fall asunder, if their King did not hold them together. The Danger of King, Lords, and Commons, by the Sickness, by a longer Continuance.' Sir Reger North said, ' That he was once against giving any Thing at this Time; but had now altered his Opinion by his Majesty's most gracious Answer about Religion; also because it was his first Request: Besides the Consequence of an ill parting this Parliament would be a Thing very acceptable to the Papists. Moved for two Fifteens to be added to the two Subsidies.' Another said, ' That Precedents were neither to be despised, nor adored as Gods. That in the first Parliament of the late King, two Subsidies were granted and four Fifteens; within a Month after one Subsidy more was given in the same Session. If all our greatest Enemies were here they would refuse to give; to give now, because they could not, at another Time, give towards this Supply. To leave now their Fears, Jealousies, and Disgusts at home, and to rely upon the King's Promise for their next Meeting to reform such Things. Those Disorders complained of did not happen in this King's Time; that he, both in his Father's and his own Time, had assured them of

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An. 2. Charles I. of his Desire and Resolution to reform those Things.  
1625. Moved for a short Question, Whether we will give at this Time, or Not.'

The Arguments *per contra* were these ; Sir *Robert Philips* said, ' That the Point now before them, by the King's last Message, might be reduced short to this ; Either to give presently, or else that, in respect of Danger to us, he will adjourn us to some other Time. That the Arguments for giving were Honour, Necessity, and Safety ; not honourable Actions grounded upon sound Counsels. That Necessity had been the continual Argument for Supply in all Parliaments ; but the Counsels which had put the King, and the present great Designs into this Hazard, whoever gave them must answer it. Moved that the present Necessity might be supplied by some other Means, rather than by so dangerous a Precedent. That a Committee might be appointed to consider of a fit Answer to the King, why they could not now give ; and yet to assure him, that they would, in due Time, supply all his honourable and well-grounded Designs.' Sir *Francis Seymour* said, ' It was strange that the Commons of *England* should be called thither only for a Supply of 40,000 l. and it shewed the King's Necessities were great. What was become of all the Money raised by the Act of Resumption of the Crown Lands ? That 140,000 l. had been also raised by Places of Honour ; Places of Justice were sold, and Sergeants Places ; which must come to a greater Sum.' Others argued for giving, so that it might be in a Parliamentary Manner. But Sir *Thomas Wentworth* said, ' That he feared the pressing this Precedent for so small a Sum, was to take the Advantage of it for greater Things hereafter. Was against present giving ; but most ready and willing to give in due Time.' Sir *Heneage Finch* argued, ' That the granting of *Subsidies* in Reversion, as the Clergy had done, was to bind and give for our Executors, as they had for their Successors. He disliked their drawing hither ; and wish'd they

## Of ENGLAND. 401

they might never hereafter be put upon such Rocks: An. 1. Charles I.  
Yet was for giving then, in respect of the King's 1625.  
Answer to their Petition about Religion; the rather, because he had said it was not done to draw us on: But to do this with great Caution, and with a Protestation never to do the like, upon any Necessity hereafter.' Others again were more violent: Mr. Rolle said, 'That the King could not but have Credit, without their Grant, for 40,000 l. That if the Necessity for Money was now so great, this was the Time to press for Redress of Grievances. That Turkish Pirates take our Ships and Men, and endanger our Sea-Coasts; which were forced to arm to defend themselves.' The last Speaker, on this Side, we shall mention, was old Sir Edward Coke; who began again with his Leaks, and said, 'That two would drown any Ship. That *solum & malum Concium* was a bottomless Sieve. An Officer should not be *Cupidus alienæ Rei, parcus suæ; avarus Reipublicæ; super omnia expertus.* *Misera Servitus est, ubi Lex incerta aut incognita.* That in the 11th of Henry III. Hubert de Burgh, Chief Justice, advised the King that *Magna Charta* was not to hold, because the King was under Age when that Act was made. He was Earl of Kent, but degraded for this some Time after. In the 16th of Henry III. Segarre, Chief Justice, was sentenced for giving sole Counsel to the King against the Common-Wealth. That it was *malum Consilium* to press more Subsidies when they had given two. To bring them thither only for 40,000 l. And, Lastly, offered to give 1000 l. out of his own Estate, rather than grant any Subsidy now.'

These Reflections were aimed directly at the Prime Minister, and are bolder than any that fell in this Day's Debate. The Result of all, which was, a Resolution was agreed on, 'That a Committee of the whole House should be appointed, at Eight o'Clock the next Morning, to consider what Return to make to his Majesty's Message of this Day.'

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An. 1. Charles I. 1625. August 11. Notwithstanding Yesterday's Resolution, we find no Mention of the Message in the next Day's Proceedings; instead of that, the House went upon a Complaint made against Sir Francis Stewart, an Admiral, for suffering a Pirate to take an English Ship before his Face. That the Merchants acquainted him with this, and desired him to go out and chace the Pirate; who answer'd, That his Commission was not to go on the French Coast, where he conceived the Pirate was. He confessed that he saw the Pirate board the English Ship, but thought they had been Fishermen. That, in Conclusion, tho' he was offered great Sums of Money, or Half the Goods in the Ship, yet he refused to go out.

Sir Edward Coke moved for a Committee to be appointed for this; and afterwards to acquaint the Lords with it. Sir Francis Seymour said, 'That the Lord Admiral, Buckingham, had the Care of these Things; therefore the Default must needs be in him or his Agents. And moved for a Committee to consider of the Causes thereof, and where the Default lay.' Mr. Lister mentioned the Wrongs done to our Trade by the Dunkirkers; and therefore moved that the Committee to be appointed might, in a general Way, consider of this, and the Safety of all the Sea-ports.' Others agreeing in this, a Committee of the whole House was appointed to take these Matters into Consideration, and they to have Power to name a Sub-Committee.

The rest of this Day's Work was taken up with a long Repetition of the Pardon to the Jesuits, &c. and of their desiring a Conference with the Lords, in order to induce them to join in a Petition to the King, to beseech him not to be importuned hereafter by any foreign Ambassador, to grant any Thing contrary to the Answers to their former Petition. On which Sir Robert Philips observed, 'That no Popish King would, at the Instigation of our Ambassadors, release any Person out of the Inquisition.' A Conference with the Lords, on this,

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was agreed upon and held, and Sir *Edward Coke* An. 1. Charles I.  
made the Report of it to their House. 1625.

After repeating what is said before, about obtaining the Pardon from the King, he told them, ‘ That the Lords had resolved to move the King, never to pardon any *Jesuit*, or other *Papist*, till they were attainted. For their joining in the Petition, they denied it not ; but, considering his Majesty’s gracious Answer to their other Petition about Religion, and that both Houses were to give him Thanks for it, the Purport of this last might only be intimated to the King ; which the Lords pressed them to consent to. That he had declared the Satisfaction of that House, touching the Pardon and the Date thereof, and the Lord *Conway*’s Letter. Lastly, That all the Lords were most hearty in the Point of Religion.’

In this Manner stood Affairs in both Houses, when the next Day, *August 12th*, a Protestation was unanimously agreed upon, by the Commons, in a Grand Committee, which was reported to the House, ordered to be entered in the Clerk’s Book, and presented to his Majesty with all convenient Speed, by all the Members that were of the Privy Council, with Sir *John Fullerton* and Sir *Robert Carr* attending them. Immediately after this, the Gentleman-Usher of the Black Rod came to call the House and the Speaker to come up to the Lords, to hear a Commission from the King, read to both Houses : Which was done accordingly.

Thus far the *Journals*.—But *Rushworth* proceeds Whereupon the King dissolves the Parliament. to tell us, That the King, perceiving the Commons resolved against a Supply, without Redress of Grievances ; and, in their Debates, to reflect upon some great Persons near himself, on the 12th of *August*, sent to the House of Peers a Commission, directed to several Lords, for the Dissolution of the Parliament. And the Speaker, with the other House, being sent for, the Commission was read before them all ; and this Parliament was declared to be dissolved.

C c 2

Thus

An. 1. Charles I.  
1625.

Thus the latter Session of this Parliament came to an End, without any manner of Business being concluded in it. The first had only nine Acts passed, all of them of no Consequence to this History, except the Acts for Subsidies from the Clergy and Temporality, already mentioned; and an Act, as usual, That this Session of Parliament shall not be ended, notwithstanding the King's Assent to these and some other Acts. The Protestation of the Commons, mentioned above, is not in *their Journals*; but is preserved by *Rushworth*, and some other Historians of those Times; which, being singular in its Kind, full of loyal and dutiful Expressions to their Sovereign, deserves particular Notice at this Juncture.

The Commons  
Protestation.

WE the Knights, Citizens, and Burgesses of the Commons House of Parliament, being the representative Body of the whole Commons of this Realm, abundantly comforted in his Majesty's late gracious Answer touching Religion, and his Message for the Care of our Health, do solemnly protest and vow before God and the World, with one Heart and Voice, that we are all resolved, and do hereby declare, that we will ever continue most loyal and obedient Subjects to our most gracious Sovereign Lord King *Charles*; and that we will be ready, in convenient Time, and in a Parliamentary Way, freely and dutifully to do our utmost Endeavours, to discover and reform the Abuses and Grievances of the Realm at a State; and in like sort to afford all necessary Supply to his most Excellent Majesty, upon his present, and all other his just Occasions and Designs, most humbly beseeching our said dear and dread Sovereign, in his princely Wisdom and Goodness, to rest assured of the true and hearty Affections of his poor Commons, and to esteem the same to be (as we conceive it is indeed) the greatest worldly Reputation and Security that a just King can have; and to account all such as Slanderers of the Peoples Affections, and Enemies

'mies to the Common-Wealth, that shall dare to  
say the contrary.'

An. 1. Charles I.  
1625.

It is plain that the Antipathy the Commons had then taken against the Prime Minister, was the Occasion of their Slackness in granting Supplies, tho' Things were not yet come to that Maturity as to exhibit Articles against him. The Answers he had given to the Objections, about his Conduct of the Fleet, were, no doubt, satisfactory to some ; but, we are told, there were others in the Lower House, who were his secret and clothe Enemies ; and could, at any Time, conjure up, under the Name of Religion and Grievances, Quarrels, which they even managed to the Dissolution of the Parliament itself (q).

But, whoever had the Management of the Helm of Government at this Time, it is certain on <sup>Remarks there-</sup> they steered very ill. The King, when Prince, may be said to have served an Apprenticeship to Parliaments (r) ; and, by his constant Attendance there, in his Father's Time, where he often did good Offices between the King and them, must have acquired an entire Knowledge of those august Assemblies. How he came to take such Measures, as these and other succeeding ones, at the very Beginning of his Reign, is a Secret not yet unfolded in History. The Favourite must be the Cause ; who, to save himself, precipitated his Prince to take such Courses as might have ended in the Ruin of them both at that Time ; but, no doubt, gave a great Handle to the secret Enemies of the Church and Monarchy, to lay their Schemes for the entire Destruction of those antient Pillars of the English Constitution.

The Parliament being dissolved, the King pur-  
ried on his Schemes of War, and resolved the Fleet <sup>for his Designs</sup> should put out to Sea ; notwithstanding he wanted <sup>for War,</sup> Money to support it. The House of Austria, at

C c 3

that

(q) Franklyn's Annals. P. 473.

(r) See before, P. 351.

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An. 1. Charles I. that Time, invested both with the *Imperial* and  
1625. *Spanish* Diadems, was the Object this War was  
• levelled at. He enters into a strict Alliance with  
the States of the *United Provinces* against them ; and  
actually sent out a Fleet of 80 Sail, with ten Regi-  
ments on board, in an Expedition against *Cadiz*.  
The ill Success of that Enterprize is attributed to  
the Soldiers getting drunk with sweet Wines, and to  
an infectious Distemper which spread amongst them,  
and carried off great Part of the Fleet. Howeve-  
it was, the Commanders of this Expedition brought  
home no Laurels with them ; but returned, in-  
glorious, about the Middle of November this Year  
as is more particularly related by our general His-  
torians.

Whilst this Enterprize was carrying on abroad,  
the King set about performing his Promise made  
And issues a Pro-  
clamation against  
Recusants. to Parliament, on Religious Affairs. A Proclama-  
tion was issued out for calling home all the Children

of *Popish Recusants*, sent out for foreign Education,  
or otherwise. Likewise all *English*, *Scotch* and *Irish*  
Soldiers, who had entered into the Service of the  
*Emperor* and King of *Spain*, were recalled. The  
Archbishops of both Provinces were required to  
proceed strictly against all *Popish Recusants* in their  
Districts, by Excommunications and other Cen-  
sures of the Church ; and, by another Proclamation,  
they were commanded not to stir above five Miles  
from their own Homes, and were also effectually  
disarmed. But these Sugar-Plumbs did not serve to  
sweeten other Courses, wh.ch the King and the  
Ministry thought fit to take at the same Time.

The Dissolution of the Parliament having pre-  
vented any Hopes of a Supply from that Quarter,  
and the Treasury wanting Money to defray the  
extraordinary Charge of Fleets and Armies ; the  
Minister fell upon another Way of raising Supplies,  
not unprecedent, yet never done but when some  
unfortunate Difference happen'd between King  
and Parliament. Accordingly Letters were direct-  
ed to the Lord Lieutenants of the several Coun-  
ties, for borrowing so much Money from People  
able

able to lend, as might discharge the present Occa- An. 1. Charles I.  
sions. The Tenor of which Letters were as fol- 1625.  
lows:

Right Trusty and Well-beloved, &c.

**I**T hath been so usual a Thing for Kings and Princes Letters from the  
of this Realm, to make Use of their Subjects good Council for ra-  
Affections, by borrowing some such competent Sums sing Money by  
of Money of Persons able to lend, as might supply way of Loan.  
those present Occasions for public Service, which can-  
not attend that Length of Time wherein it can be  
raised by Contribution by the Generality of our Sub-  
jects. As we have not only present Occasion to make  
the like Trial, by borrowing from some private Gen-  
tlemen and others, but also of your Sincerity and En-  
deavours in furtherance of the Service: That is to  
say, in taking some Course, either out of your own  
Knowledge and Experience, or by any other Means  
or Instruments which you like best, to make Collection -  
of as many Persons Names within the County where-  
in you are Lieutenant, as may be of Ability to furnish  
us with several Sums at this Time; and thereupon to  
return in a Book, both the Names of the Persons, their  
Dwellings, and what Sums you think they may spare,  
that we may thereupon direct our Privy-Seals unto  
them, according to the Form of this inclosed.

And for your further Instruction in this Case, on  
whose Trust we do so much repose, we wish you to ad-  
vise herein with your Deputy Lieutenants, as those from  
whom we have special Cause to promise ourselves all  
good Offices of Duty and Affection. To which we  
must add thus much further, That we do not intend  
at this Time to deal with any Nobleman; neither are  
you to deal with any of the Clergy, because we have  
reserved that Direction to the Metropolitans of the  
several Provinces, to proceed only with some special  
Persons, that are known to be Men of Wealth and  
Ability, and not merely subsisting upon those Livings,  
which, in most Places, are far inferior to that Main-  
tenance we could give them. By which Course and  
Consideration of ours, tho' you may perceive how much  
we

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An. 1. Charles I. we desire to procure this Loan without Inconvenience  
1625. to any, which is only intended for the Service of the Public, yet must we assure you, that we had no greater Cause at any Time than now, to make Use of your Integrity and Industry, in respect of your Election of the Lenders, and of your constant Demonstration, both of Diligence and Affection to the Service. Having now delivered unto you as much as for the present can be expected from us, we will refer you for any further Direction unto our Privy Council, as hereafter Occasion shall require. To whom our Pleasure is, you do return your Certificates, in Manner and Form as is aforesaid, at the most within twenty Days after the Receipt of these our Letters. Given at, &c.

The Comptroller of the King's Household, by the Council's Order, issued forth Letters in the King's Name, under the Privy-Seal, to the several Persons returned for the Loan of Money, in Form as followeth:

Trusty and Well-beloved, &c.

**H**aving observed, in the Precedents and Customs of former Times, that all the Kings and Queens of this Realm, upon extraordinary Occasions, have used either to resort to those Contributions, which arise from the Generality of Subjects, or to the private Helps of some well-affected in particular, by way of Loan: In the former of which Courses, as we have no Doubt of the Love and Affection of our People, when they shall again assemble in Parliament; so, for the present, we are enforced to proceed in the latter Course, for supply of some Portions of Treasure for divers publick uses; which, without manifold Inconveniences to us and our Kingdom, cannot be deferred. And therefore, this being the first Time that we have required any Thing in this Kind, we doubt not but we shall receive such a Testimony of your good Affection for you, among other of our Subjects, and that with such Dexterity and Readiness, as may make the same

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same so much the more acceptable ; especially seeing we require but that Sum, which few Men would deny a

An. 1. Charles I.  
1625.

Friend, and have a Mind resolved to expose all our earthly Fortune for Preservation of the general.

The Sum which we require of you by these Presents is \_\_\_\_\_ ; which we do promise in the Name of us, our Heirs and Successors, to repay to you, or your Assigns, within eighteen Months after the Payment thereof unto the Collector. The Person whom we have appointed to collect it, is \_\_\_\_\_ ; to whose Hands we do require you to send it within twelve Days after you have received this Privy-Seal ; which, together with the Collector's Acquittance, shall be sufficient Warrant unto the Officers of our Receipt, for the Repayment thereof at the Time limited.

Given at, &c.

Pursuant to this Privy-Seal, the Monies required were generally according to the Proportion following, viz.

### For the West-Riding of Yorkshire.

Sir Thomas Wentworth, 20 l. Sir Francis Fushamb, 20 l. Sir John Jackson, 20 l. Sir Edward Osborne, 30 l. Godfrey Copley, Esq; 15 l. Sir Ralph Hansby 15 l. Robert Portington, Esq; 10 l. Stephen Bright, Esq; 10 l. George Westby, Esq; 10 l. Sir John Ramsden, 15 l. John Armitage, Esq; 15 l. John West, Esq. 10 l. John Kaye, Esq; 13 l. 10 s. Sir Henry Saville, 30 l. Sir John Saville, 15 l. Philip Hungate, Esq; 15 l. Widow Armitage, 10 l. Ursula Wentworth, 10 l. &c.

The Collectors of this Loan were appointed to pay into the Exchequer the Sums received ; and also to return the Names of such as discovered a Disposition to delay, or excuse, the Payment of the Sums imposed upon them.

Notwithstanding these Loans were industriously collected in all Parts of the Kingdom, yet they did not answer the pressing Necessities of the State :

And

Which not answering the Design;

An. 1. Charles I.  
1625. And much Discontent arising from this Way of raising Money, as well as the unsuccessful Voyage to Cadiz, the King resolved to summon another Parliament to meet in February, which was still the new Parliament. first Year of his Reign.—As we have hitherto given the State of the Peerage, at the Beginning of every new Reign, we shall now do the same; by exhibiting a List of all the Peers summoned to the first Parliament of this King; for the second is not entered in Dugdale's Summons to Parliament.

*State of the Peerage at this Time.*

<b>T</b> H E K I N G to his dearly beloved Cousin, <i>George Duke of Buckingham, Lord High Admiral of England, &amp;c.</i>	
<i>William Marquis of Win- chester.</i>	<i>William Earl of Exeter.</i>
<i>Thomas Earl of Arundel and Surry, Earl Mar- shall of England.</i>	<i>Philip E. of Montgomery.</i>
<i>Henry Earl of Northum- berland.</i>	<i>John E. of Bridgewater.</i>
<i>John E. of Shrewsbury.</i>	<i>William E. of Northamp- ton.</i>
<i>Henry E. of Kent.</i>	<i>Robert E. of Leicester.</i>
<i>William E. of Derby.</i>	<i>Robert E. of Warwick.</i>
<i>Edward E. of Worcester, Lord Keeper of the Privy-Seal.</i>	<i>William E. of Devonshire.</i>
<i>Francis E. of Rutland.</i>	<i>John E. of Holderness.</i>
<i>Francis E. of Cumberland.</i>	<i>James E. of Carlisle.</i>
<i>Robert E. of Sussex.</i>	<i>William E. of Denbigh.</i>
<i>Henry E. of Huntingdon.</i>	<i>John E. of Bristol.</i>
<i>Edward E. of Bath.</i>	<i>Christ. E. of Anglesea.</i>
<i>Edward E. of Bedford.</i>	<i>Robert E. of Somerset.</i>
<i>William E. of Pembroke.</i>	<i>Henry E. of Holland.</i>
<i>William E. of Hertford.</i>	<i>Oliver E. of Bolingbroke.</i>
<i>Robert E. of Essex.</i>	<i>John E. of Clare.</i>
<i>Theophilus E. of Lincoln.</i>	<i>Francis E. of Westmore- land.</i>
<i>Charles E. of Nottingham.</i>	<i>Anthony Viscount Mon- tagu.</i>
<i>Thomas E. of Suffolk.</i>	<i>William Vis. Wallingford.</i>
<i>Edward E. of Dorset.</i>	<i>John Vis. Purbeck.</i>
<i>William E. of Salisbury.</i>	<i>William Vis. Mansfield.</i>
	<i>Henry Vis. Mandeville,</i>
	<i>Lord President of the Council.</i>
	<i>Francis</i>

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<i>Francis Visc. St Albans.</i>	<i>Edward L. Wotton.</i>	An. 1. Charles I. 1625.
<i>Thomas Visc. Colchester.</i>	<i>Francis L. Russell.</i>	
<i>Henry Visc. Rochford.</i>	<i>Henry L. Grey of Groby.</i>	
<i>Thomas Visc. Andover.</i>	<i>William L. Petre.</i>	
<i>Richard Visc. Tunbridge.</i>	<i>Henry L. Danvers.</i>	
<i>William Visc. Say &amp; Seale.</i>	<i>Robert L. Spencer.</i>	
<i>Henry Nevile Lord Ber- gavenny.</i>	<i>Edward L. Denny.</i>	
<i>Mervin Tuchet L. Audley.</i>	<i>Charles L. Stanhope of Harrington.</i>	
<i>Edward L. Zouch.</i>	<i>George L. Carew.</i>	
<i>Geo. L. Berkley of Berkley.</i>	<i>Thomas L. Arundel of Wardour.</i>	
<i>Robert L. Willoughby of Eresby.</i>	<i>John L. Tenham.</i>	
<i>Hen. West L. De la War.</i>	<i>Philip L. Stanhope of Shelford.</i>	
<i>Henry Parker L. Morley and Monteagle.</i>	<i>Edward L. Noel.</i>	
<i>Richard L. Dacres.</i>	<i>Fulk L. Brooke.</i>	
<i>Emanuel L. Scrope.</i>	<i>Edward L. Montagu.</i>	
<i>Edward Sutton L. Dudley.</i>	<i>Robert L. Carey.</i>	
<i>Edward L. Stourton.</i>	<i>John L. St. John of Ba- sing.</i>	
<i>Henry L. Herbert, eldest Son to Edward E. of Worcester.</i>	<i>William L. Grey of Werke.</i>	
<i>John L. Darcie and Mey- nill.</i>	<i>Francis L. Deyncourt.</i>	
<i>Edward Vaux L. Har- rowden.</i>	<i>James L. Ley of Ley, Lord High Treasurer of England.</i>	
<i>Thomas L. Windsor.</i>	<i>Rich. L. Roberts of Truro.</i>	
<i>Thomas L. Wentworth.</i>	<i>Ed. L. Conway of Ragley.</i>	
<i>John L. Mordaunt.</i>	<i>Horace L. Vere of Tilbury.</i>	
<i>Thomas L. Cromwell.</i>		In all.
<i>William L. Eure.</i>	<i>Duke</i>	1
<i>Philip L. Wharton.</i>	<i>Marquis</i>	1
<i>Edmund L. Sheffield.</i>	<i>Earls</i>	37
<i>William L. Paget.</i>	<i>Viscounts</i>	11
<i>Dudley L. North.</i>	<i>Barons</i>	47
<i>Theophilus Howard L. Walden, eldest Son to the E. of Suffolk.</i>		—
		97
		Dr.

(5) By the Sentence pass'd upon this Peer, (see Vol. V. p. 420.) he was disabled from ever sitting in Parliament; and tho' he was afterwards pardoned by King James, yet he was not summoned during that King's Reign.

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AN. 1. Charles I.  
1625. Dr. John Williams, Lord Keeper of the Great Seal, and Bishop of Lincoln, had fallen under the Displeasure of the Duke of Buckingham, who prevailed upon his Majesty to take the Seal from him, and give it to Sir Thomas Coventry.—This is necessary to premise, because the Reader ought to understand who it was that spoke in that Character in the ensuing Parliament (1).

On Monday, February 6th, the Parliament met at Westminster; when, the King being seated on his Throne, the Lords in their Robes, and the Commons below the Bar, his Majesty, in a very short Speech, told them, That he had directed the Lord Keeper to signify his Pleasure to both the Houses.

### The LORD KEEPER'S SPEECH.

*My Lords, and you the Knights, Citizens, and Burghesses of the House of Commons,*

The Lord Keeper's Speech.

YOU are here assembled by his Majesty's Writs and Royal Authority, to hold a new Parliament, the General, Antient, and Powerful Council of this Renowned Kingdom; whereof, if we consider aright, and think of that incomparable Distance between the Supreme Height and Majesty of a Mighty Monarch, and the submissive Awe and Lowness of a loyal Subject, we cannot but receive exceeding Comfort and Contentment in the Frame and Constitution of this highest Court; wherein not only the Prelates, Nobles, and Grandees, but the Commons of all Degrees have their Part; and wherein that high Majesty doth descend to admit, or rather to invite the humblest of his Subjects to Conference and Counsel with him, of the great, weighty, and difficult Affairs of the King and Kingdom; a Benefit and Favour whereof we cannot be too sensible and thankful; for sure I am, that all good Hearts would

(1) We are told in Hacket's Life of Bishop Williams, that one Reason of the Bishop's Fall was, his Advising the King against the Dissolution of his first Parliament.

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1625.

would be both sensible and sorrowful, if we did want it; and therefore it behoveth all, with united Hearts, and Minds free from Distraction and Diversion, to fix their Thoughts upon Counsels and Consultations worthy of such an Assembly, remembering, That in it is presented the Majesty and Greatness, the Authority and Power, the Wisdom and Knowledge of this great and famous Nation; and it behoveth us to magnify and bless God, that hath put the Power of assembling Parliaments in the Hands of him, the Virtue [*inherent*] of whose Person doth strive with the Greatness of his Princely Lineage and Descent, whether he should be accounted *Major* or *Melior*, a greater King, or a better Man; and of whom you have had so much Trial and Experience, that he doth as affectionately love, as he doth exactly know and understand the true Use of Parliaments; witness his daily and unwearyed Access to this House, before his Access to the Crown; his gracious Readiness to all Conferences of Importance; his frequent and effectual Intercession to his Blessed Father of never-dying Memory, for the Good of the Kingdom, with so happy Success, that both this and future Generations shall feel it, and have cause to rejoice at the Success of his Majesty's Intercession. And when the Royal Diadem descended upon himself, presently, in the midst of his Tears and Sighs for the Departure of his most Dear and Royal Father, in the very first Consultation with his Privy Council, was resolved to meet his People in Parliament: And no sooner did the heavy Hand of that destroying Angel forbear those deadly Strokes, which, for some Time, did make this Place inaccessible, but his Majesty presently resolved to recall it, and hath now brought you together, and in a happy Time, I trust, to treat and consult, with uniform Desires and united Affections, of those Things that concern the general Good. And now being thus assembled, his Majesty hath commanded me to let you know, that his Love

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Love and Affection to the Public, moved him to call this Parliament ; and looking into the Danger and the spreading of that late Mortality, and weighing the Multitude of his Majesty's pressing Occasions and urgent Affairs of State, both at home and abroad, much importing the Safety and State of this Kingdom ; the same Affection that moved him to call it doth forbid him to prolong the sitting of this Parliament : And therefore his Majesty resolving to confine this Meeting to a short Time, hath confined me to a short Errand ; and that is, That as a Thing most agreeable to the Kingly Office, to the Example of the best Times, and to the Frame of modern Affairs, his Majesty hath called you together to consult and advise of provident and good Laws, profitable for the Public, and fitting for the present Times and Actions ; for upon such depends the Assurance of Religion and of Justice, which are the surest Pillars and Buttresses of good Government in a Kingdom. For his Majesty doth consider, that the Royal Throne, on which God, out of his Mercy to us, hath set him, is the Fountain of all Justice, and that good Laws are the Streams and Rills by which the Benefit and Use of this Fountain is dispersed to his People ; and it is his Majesty's Care and Study, that his People may see, with Comfort and Joy of Heart, that this Fountain is not dry ; but they and their Posterity may rest assured and confident in his Time, to receive ample Benefit from this Fountain, by his Majesty's Mercy and Justice, as ever Subjects did in the Time of the most eminent Princes, amongst his Noble Progenitors ; wherein, as his Majesty shews himself most sensible of the Good of the Public, so were it an Injury to this great and honourable Assembly, if it should be but doubted, that they shall not be as sensible of any thing that may add to his Majesty's Honour ; which cannot but receive a high Degree of Love and Affection, if his Majesty, succeeding so many

‘ Re-

• Religious, Wise, and Renowned Princes, should begin his Reign with some Additions unto those good Laws which their happy and glorious Times have afforded. And this his Majesty hath caused me to desire at this Time, especially, above others; for his Majesty having, at his Royal Coronation, lately solemnized the sacred Rites of that blessed Marriage between his People and him; and therein, by a most holy Oath, vowed the Protection of the Laws and Maintenance of Peace, both to Church and People; no Time can be so fit for his Majesty to advise and consult at large with his People, as at this present Time, wherein so lately his Majesty hath vowed Protection to his People, and they have protested their Allegiance and Service to h.m.

• This is the Sum of that Charge which I have received from his Majesty to deliver unto you; wherein you see his Majesty's Intent to the Public: And therefore his Desire is, That, according to that Convenience of Time which his Affairs may afford, you will apply yourselves to dispatch the Business of this Parliament.

The Wednesday following the Commons present- Sir Heneage ed Sir Heneage Finch, Knt. Sergeant at Law, and Recorder of London, for their Speaker. Finch elected having made the accustomed Excuses, and acknowledged his Majesty's Approbation, made this Speech.

• SINCE it hath pleased your Majesty not to His Oration to admit my humble Excuse, but, by your Royal Approbation, to crown this Election; after my Heart and Hands first lifted up to God, that hath thus inclined your Royal Heart, I do render my humblest Thanks to your Majesty, who are pleased to cast so gracious an Eye upon so mean a Subject; and to descend so low as, in a Service of this Importance, to take me into your Princely Thoughts. And since we all stand for Hundreds and Thousands, for Figures and Cyphers, as your Majesty, the Supreme and Sovereign Auditor,

• shall

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shall please to place and value us, and, like Coin  
to pass, are made current by your Royal Stamp  
and Impression only, I shall neither disable nor  
undervalue myself, but with a faithful and chear-  
ful Heart, apply myself with the best of my  
Strength and Abilities, to the Performance of  
this weighty and public Charge; wherein, as I do,  
and shall to the End, most humbly desire your  
gracious Acceptance of my good Intentions and  
Endeavours, so I could not but gather some Con-  
fidence to myself, that your Majesty will look fa-  
vourably upon the Works of your own Hands.  
And, in Truth, besides this Particular, these pub-  
lic Things which are obvious to every Under-  
standing, are so many Arguments of Comfort  
and Encouragement; when I contemplate and  
take a View of those inestimable Blessings, which,  
by the Goodness of God, we do enjoy under  
your Majesty's most pious and prudent Gover-  
ment.

If we behold the Frame and the Face of the  
Government in general, we live under a Mo-  
narchy; the best of Governments, the nearest  
Resemblance unto the Divine Majesty which the  
Earth affords, the most agreeable to Nature, and  
that in which other States and Republicks do easily  
fall and reverse into the Ocean, and are naturally  
dissolved as into their *primam Materiam*. The  
Laws by which we are governed, are above any  
Value my Words can set upon them; Time hath  
refined and approved them; they are equal at least  
to any Laws Human, and so curiously framed and  
fitted, that as we live under a temperate Climate,  
so the Laws are temperate; yielding a due Ob-  
servance to the Prerogative Royal, and yet pre-  
serving the Right and Liberty of the Subject;  
that which Tacitus saith of two of the best Em-  
perors, *Res oī m ījōc̄ibiles miscuerunt, Imperium*  
*& Libertas*: And so far is this from the least Di-  
mension of Sovereigns, that, in th̄, your Maj-  
esty is truly stiled *Pater Patriæ*, and the greatest  
King in the World, that is King of such and so  
many

many free-born Subjects, whose Persons you have  
not only Power over, but, which is above the  
greatest of Kings, to command their Hearts.  
If Time or Corruption of Manners breed any  
Misfis or Grievance, or discover any Defect in  
the Law, they are soon reformed by Parliament,  
the greatest Court of Justice, and the greatest  
Council of the Kingdom, to which all other  
Courts and Councils are subordinate. Here your  
Royal Person still inthrone in the State of Ma-  
jesty, attended by a Reverend and Learned Pre-  
lacy, a great and full Nobility inthrone, like Stars  
in the Firmament, some of a greater some of a lesser  
Magnitude, full of Light and Beauty, and acknow-  
ledging to whom they owe their Lustre; and by a  
choice Number of worthy Knights and Gentlemen,  
that represent the whole Body of your Commons.  
But to leave Generals? We live not under a Mo-  
narchy only, the best of Governments, and un-  
der a Government the best of Monarchies; but  
under a King the best of Monarchs, your Royal  
Person, and those eminent Graces and Virtues  
which are inherent in your Person, (in whom  
Greatness and Goodness contend for Superiority)  
it were Presumption in me to touch, tho' with  
never so good a Meaning; they will not be  
bounded within the narrow Compass of my Dis-  
course: And such Pictures of such a King are  
not to be made in Limning, but for public  
Things and Actions which the least Eye may see  
and discern; and in them, obliquely and by Re-  
flection, chearfully and with Comfort behold your  
Person. What Age shall not record and eternize  
your Princely Magnanimitie in that heroic Ac-  
tion or venturous Journey into Spain, or hazard-  
ing your Person to preserue the Kingdom? Fa-  
thers will tell it to their Children in Succession;  
After-ages will then think it a Fable. Your  
Piety to the Memory of your dear Father, in  
following and bedewing his Herie with your  
Tears, is full in every Man's Memory. The  
Public Humiliation when God's Hand lay heavy  
upon

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upon us, and the late Public Thanksgiving to  
Almighty God for removing his Hand, both com-  
manded and performed in Person by your Maj-  
esty, is a Work in Piety not to be forgotten ; and  
I trust the Lord will remember them, and re-  
ward them with Mercy and Blessing to your Ma-  
jesty and the whole Kingdom. Your Love to  
Justice, and your Care in the Administration of  
Justice, we all behold with Comfort, and re-  
joice to see it ; the great Courts of Justice from  
the highest to the lowest furnished with Judges  
of that Wisdom and Gravity, Learning and In-  
tegrity. The Thrones of Kings are established  
by Justice ; and may it establish, and I doubt  
not but it will establish the Throne of your  
Majesty in your Person, and in your Royal Line,  
to the End of Time. But above all, and indeed  
it is above all, as far as Heaven is distant from the  
Earth, your Care and Zeal for the Advancement  
of God's true Religion and Worship, are clearly  
and fully exprest, and do appear both in your Per-  
son, and by your public Acts and Edicts. It is  
true that it is said of Princes, *Quod faciunt præ-  
cipiant* ; of your Majesty both are true, and a  
Proposition made convertible. We have receiv-  
ed a most gracious Answer from your Majesty  
to all our late Petitions concerning Religion, se-  
counded with a public Declaration under the Great  
Seal, and enrolled in all the Courts of Justice,  
for your Royal Pleasure and Direction to awaken  
and put Life into these Laws by a careful Exe-  
cution, with Provision that the Penalties be not  
converted to your private Coffers ; and yet the  
Coffers of the Kings are not private Coffers,  
but, by your express Direction, set apart to public  
Uses, such as concern the immediate Defence of  
the Kingdom, wherein we all have our Share  
and Interest. Your Royal Proclamation hath  
commanded those *Romish Priests* and *Jesuits* to  
Banishment ; those Incendiaries that infect the  
State of this Church and Common-Wealth.  
Their very Entrance into this Kingdom is, by a  
just

just and provident Law, made Treason; their An. 1. Charles I.  
 Aims being in Truth (how specious soever their 1625.  
 Pretences be) nothing else but to plot and con-  
 trive Treason against the State, and to seduce  
 your natural-born Subjects from their true Obe-  
 dience, nourishing in their Posterities Factions  
 and Seditions: Witness those many Treasons and  
 Conspiracies against the Person of that glorious  
 Lady, whose Memory will never die; and that  
 horrible matchless Conspiracy, the *Powder-Trea-*  
 son, the Master-Piece of the Devil. But God  
 that preserved her and your Royal Father against  
 all their treacherous Conspiracies, and hath given  
 you a Heart to honour him, will honour and pre-  
 serve you: Religion will more truly keep your  
 Kingdoms, than the Seas do compass them: It  
 is the Joy of Heart to your Majesty's loyal and  
 well-affected Subjects, and will ever be the Ho-  
 nour of your Regal Diadem, and the Crown of  
 your Crown. The *Spanish Invasion* in 1588, I  
 hope will ever be remembred in *England*, with  
 thankful Acknowledgment to God for so great a  
 Deliverance: And I assure myself it is remem-  
 bred in *Spain*, but with another Mind, a Mind  
 of Revenge; they are tooconstant to their Coun-  
 cels, to acquit their Resolutions and Purposes that  
 drew on that Attempt. It was long before dis-  
 covered, and since printed, not without their  
 Likng, That they affect an Universal Monar-  
 chy. *Videor mibi videre* (saith *Lipsius* of their  
 State) *Solem orientem ab Occidente*; a Monster  
 in Nature. And one of their own, speaking of  
 the two great Lights which God had placed in  
 the Firmament, makes the Pope *Luminare ma-*  
*jus presidens Urbi & Orbi*, and the King of Spain,  
*Luminare minus ut subdetur Urbi & dominetur*  
*per totum Orbem*: A great Flattery, and a bold  
 and impudent Illusion. But I trust, as God hath  
 put it into the Heart of your blessed Father, by  
 the matchless Book of his, written to all Christian  
 Monarchs and Princes (a Work by which he  
 raised a Monument to himself more lasting than

An. 1. Charles I.  
1625.

Marble) to denounce War to that Adversary of God and Kings, the *Pope*; so he hath set your sacred Majesty upon the Throne of your Father, to do as many Things worthy to be written, as he had written Things worthy to be read; amongst them to restrain that unlimited Pride and boundless Ambition of *Spain*, to reduce it to their proper Current and Channel; who, under the Title of Catholic King, makes his Pretence to more Countries and Kingdoms than his own; and, by colour of disguised Treaties, he invades the *Palatinate*, and dispossesseth the incomparable Lady your Royal Sister, and the Children of this Kingdom, of their Right and their antient Patrimony and Inheritance, to the Discomfort and Dishonour of this great and glorious Nation. God in his Mercy soon repair this Breach by your Royal Head; and, I assure myself, the Hearts, the Hands, and the Purses of all good Subjects will say *Amen*.

But I may weary your Majesty, and lose myself, and forget for whom I am Speaker. Custom gives me the Privilege, as an humble Suitor on the Behalf of the House, to present their few Petitions unto your Majesty.

1. 'The first, That, for our better attending this public and important Service, ourselves and our necessary Attendance may, with your Majesty's tender Allowance, be free, both in our Persons and Goods, from Arrests and Troubles, according to our antient Privileges.

2. 'The next, That since, for the preparing and drawing to Conclusion such Propositions as shall be handled in the House, Debate and Dispute will be necessary; and by Variety of Opinions, Truth is oftentimes best discern'd; your Majesty will likewise, according to your antient Usage and Privilege, vouchsafe us Liberty and Freedom of Speech, from which, I assure myself, Duty and Loyalty to your Majesty will never be severed.

3. 'That

3. 'That when Occasions of Moment shall require, your Majesty, upon our humble Suit, and at such Times as may best sort with your Occasions, will vouchsafe us Access to your Royal Person.

4. 'That the Proceedings of the House may receive a favourable Interpretation at your gracious Hands, and be free from Misconstructions.'

The first Thing the Commons went upon, was to appoint a grand Committee for Privileges and Elections: To fix a Day and Place for receiving the Communion; and to nominate a Preacher. Every Member of the House was to take the Sacrament at St. Margaret's Church, Westminster, on Sunday Sevennight: To bring his Name, and the Place for which he serves, and to deliver it to some Gentlemen appointed for that Purpose. After that Time no Man was to come into the House, till he had first received the Communion in the Presence of some of this Committee. All the Members of the Commons receive the Sacrament.

This religious Precaution had been taken at the Beginning of some late Parliaments, designed, no doubt, for the Detection of concealed Papists; imagining, that tho' they might take the Oath of Allegiance and Supremacy, against their Consciences, yet they would not be so wicked as to crown their Hypocrisy with receiving the Sacrament. But, as none refused, so we may charitably suppose there were no concealed Papists in that House.

*Feb. 10.* This Day, after some Business of small Moment was done, the Chancellor of the Exchequer delivered a Message from the King to the Commons, to this Effect:

'That his Majesty, taking Notice of an Order The King's they had made, to send out new Writs upon double Returns, desires to acquaint them also, That Sir Edward Coke, being Sheriff of Buckinghamshire, was returned one of the Knights of the Shire for Norfolk, contrary to the Tenor of the Writ: Therefore he hoped the House would do

An. 1. Charles I. ' him that Right as to send out a new Writ for that  
 1625. ' County.'

In order to understand the Meaning of this Message better, it is necessary to look into the Histories of these Times for a further Explanation. It is said, That, to disqualify some Gentlemen, who had been zealous in their Opposition to the Court in the last Parliament, from serving in this, the King had pricked them as Sheriffs of Counties for the Year ensuing. Amongst the rest old Sir *Edward Coke*, who had so vigorously distinguished himself against the Minister and his Measures, was nominated as above. This great Lawyer demurred to the Oath of a Sheriff, and insisted that one Part of it, which *was to destroy and eradicate all Heresies, commonly called Lollardies, was not to be taken.* This produced an Order of Council, wherein that Clause was left out of the Oath, and established to continue so for the future: However, Sir *Edward* got himself returned, as Knight of the Shire, for another County; and this was the Occasion of the King's Message, and the Debates in the House of Commons which ensued upon it. Tho' all that the House did this Day, in relation to the Message, was to refer it to the Committee of Privileges and Elections, to report their Opinions of the Law in these Cases, and the Usage of Parliament, and to be the first heard,

Motion as to scandalous Ministers.  
 After this Sir *Benjamin Rudyard* got up, and moved the House on account of Religion, ' Whereof, he said, the King had given ample Testimonies of his great Care and Concern, both by his Majesty's late Proclamations, and the Life given to the Execution of the Laws against them, by Commissions and Letters: But he thought there ought to be some Care taken against scandalous Ministers, as well as scandalous Livings. Said, That he knew two Ministers in Lancashire, who were found to be unlicensed Ale-House Keepers.' A Committee ordered to consider thereof.

Mr. *Pymme* moved, ' That this Committee might also consider of certain Articles, set down  
 last

last Parliament, but not put into their Petition, or <sup>An. 1. Charles.</sup> any Thing else concerning Religion.' Upon which <sup>1625.</sup> Motions a large Committee was appointed, and all <sup>Matters of Reli-</sup> that would come were to have Voices, to consider <sup>tion;</sup> of all Points concerning Religion, and to present their Opinions to the House.

Sir John Elliot proposed, first, in general, to consider of the State of the Country, and a Relief for Grievances, &c. 'For Particulars; first, the Consideration of the King's Revenue. Next, an Account how the *Subsidies* and *Fifteenths*, granted the 21. *Jac.* were expended; and therein to include the Examination of the Carriage and Miscarriage of the last Fleet; Misgovernment; Misemployment of the King's Revenues; Miscounselling, &c. and moved for a special Committee to take Consideration thereof.' But happening, in his Speech, to make Use of the Word *Courtier*, he was called upon by another Member to explain it; which he did, but in what Manner is not mentioned.

*Resolved*, That the Committee on Grievances, <sup>Committees</sup> of the whole House, shall sit every *Wednesday* and thereupon. *Friday* during the Parliament, with Power to make a Sub-Committee, and with Power to send for any Persons, Records, &c.—The Committee of the whole House, for Courts of Justice, upon *Tuesday* every Week, with like Power. And, for Trade, upon *Thursday*, every Week, with the same.—Ordered also, That the Committee for Grievances shall take Consideration of all such, exhibited since the Beginning of King James's Reign, and how they have been answered and reformed.

These Orders and Resolutions, without one Word of a Supply, shewed but a very unpromising Beginning of this Parliament; and seemed to hint to the Ministry, that, without great Alterations amongst them, Little Relief was to be expected from this Body. From the Date above, for several Days together, there is nothing to be found in the *Journals*, but regulating Elections, maintaining Privileges, and some slight Reports, from the

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An. 1. Charles I. the several Committees, concerning Grievances in  
1645. religious and other Matters, &c.

February 21. It was ordered, ‘ That the Knights and Burgesses of every Shire, City, and Burrough, within this Realm, shall, upon Conference together, present the Names of such Persons, remaining in Commission, or Place of Government, or Command in the Service for the Wars, or Trust, contrary to the King’s Answer, that either are convicted, or justly suspected, for Popery. Their Names, in Writing, to be presented to the Committee for Religion, on the 27th Instant, and they to present them to the House. The same Committee, at their next Sitting, were to take Notice also of such as ought to be confined, and yet resort to the Cities of London and Westminster. The Knights and Burgesses of Yorkshire and Northumberland, were to make Enquiry, and present the Names of all such in the Bishoprick of Durham, which yet sent no Members to Parliament.

The same Day, after reading some Petitions for Payment of some Monies disbursed for the Maintenance of the English Officers and Forces, under Count Mansfield, in the Low Countries, a grand Committee was appointed to consider of those Things; and also of the Three Sulfides and Fifteens formerly granted: To audit the Accounts by Supplies incurred a Sub-Committee, who were to prepare them ready for the other’s Inspection.

The Disburse-  
ment of the late  
Supplies incurred

Some of the succeeding Days were taken up with reading of Bills, of no great Moment, the House being divided into different Committees; amongst which, that on Grievances was busy in hearing Complaints against the Prime Minister, and examining Witnesses against him: The Reports of which will fall best in the Sequel.

February 27. Sir John Finch made a Report from the Committee of Privileges and Elections, what they had done in the Case of Sir Edward Coke aforesaid:

mentioned : Wherein many Cases were cited *pro An. 1. Charles I.*  
*& contra*, as to the Nature of an High Sheriff for  
 one County being elected Knight of the Shire for  
 another. On all which Cases, he said, the Com-  
 mittee would give no Opinion ; but desired that a  
 Search might be made, amongst the Records, for  
 more Precedents of the like Nature. But the De-  
 bate about this was put off to the 3d of *March*, and  
 from thence to another Day ; from which Time  
 we hear no more of it. In all Probability Sir *Ed-*  
*ward* lost his Seat in the House ; for he is no way  
 taken Notice of as a Speaker, or otherwise, through-  
 out the whole Course of this Session afterwards, ex-  
 cept on the Day before the Dissolution of this Par-  
 liament ; when, on the Question, it was resolved,  
 ' That Sir *Edward Coke*, standing, *de Facto*, re-  
 turned a Member of that House, should have Pri-  
 vilege against a Suit in Chancery, commenced against  
 him by the Lady *Clare*.'

Affairs of a higher Nature than the last now be-  
 gin to rise ; and, what had been long hatching in  
 the House of Commons, takes Shape and Life, and  
 becomes very formidable against the Minister and  
 all his Creatures. The Recital of which not ap-  
 pearing, in the *Journals* of either House, clear  
 enough to distinguish rightly the particular Move-  
 ments of this grand Attack, we shall not follow  
 them, as usual, *in Die ad Diem* ; but, in general, re-  
 late the Source and Ending of this great Affair.

The House of Commons had been busy a long  
 Time in getting Materials for exhibiting Articles  
 against the Duke : Their Committee on Grievances  
 made several Reports ; That they had learn'd the  
 Reason why our Merchant Ships and Goods were <sup>And the Con-</sup>  
 seized in *France*, was because our Admirals had sei- <sup>duct of the Duke</sup>  
 zed the Goods of that Nation in several Ports of  
*England*, particularly in the Ship called the *Peter*  
 of *Newhaven* ; which was brought into *Plymouth*  
 by Order of the Duke, after the King and Council  
 had order'd it to be restored upon a just Claim, and  
 the Court of Admiralty had also released her : That  
 twenty-

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AN. 1. Charles I. twenty-three Bags of Silver and eight Bags of Gold,  
1625. taken out of this Ship, were, by Sir Francis Stewart,  
delivered to the Lord Duke : That, till this Action,  
the French did not begin to seize any English Ships or  
Goods ; and that the Duke, having Notice of it,  
said, He would justify the Stay of the Ship by an  
express Order from the King.

The Commons  
examine the  
Council of War.

The next Thing we find, is, That the Commons sent out a particular Warrant, by their Sergeant, to summon the whole Council of War before them, who were appointed to manage the Business for the Relief of the *Palatinate*, and this Question was proposed unto them, ' Whether their Advice was followed, which they gave for the four Ends, mentioned in the Act of Parliament, 21. Jac.  
for which the Money given by that Act was to issue and be applied ? ' The Names of this Council of War were, the Lord *Carey*, the Lord *Brook*,  
Lord *Vere*, Lord Viscount *Grandison*, Sir *Robert Maunsel*, Sir *John Ogle*, and Sir *Thomas Button*.  
The first excused himself by the Weakness and Infirmities then upon him : The next, by his Age, being 72, and having parted with his Places : The Lord *Vere*, the same, by his Absence in the Wars of the *Low Countries* : Lord *Grandison* said, That, since July last, they had seldom met, being dispersed by the Sicknes ; but desired Leave, in a Question of such Consequence, to confer together before they answered : And this was also the Request of the rest. Which was granted, with a special Order of the House to deliver their Answer, personally, in three Days Time. But what they then delivered in, not appearing satisfactory to the House, they were ordered to be examined singly on the Question ; but none of them appeared willing to gratify the House in that Particular, except Sir *Robert Maunsel*.

It may not be improper, upon this Occasion, to observe, That, for the better Employment of the Money to be expended in managing of the expected War, the Treasurers and the King's Council for the War, were required to make Oath, viz.,  
The

The Treasurers, ‘ That none of those Monies An. 1. Charles I.  
should issue out of their Hands, without Warrant 1625.  
from the said Council of War:’ And the other,  
‘ That they should make no Warrants for the  
Payment of any of those Monies, but only for the  
Ends above mentioned.’ And further, ‘ Should all  
be accountable for their Doings and Proceedings in  
that Behalt, to the *Commons* in *Parliament*, when  
they, or any of them, should be thereto required (2).’

Whilst this Affair was debating, the King sent a Letter to the Speaker, and a Message, by Sir Richard Weston, to the House; which were as follows:

### C H A R L E S R.

Trusty and Well-beloved, &c.

**H**aving assembled the Parliament early in the Beginning of the Year, for the more timely Help and Advice of our People in our great and important Affairs; and having of late, not only by Message, but also of ourself, put our House of Commons in mind of our pressing Occasions, and of the present State of Christendom, wherein they have equal Interest with us, as well in respect of their own former Engagements, as of the common Cause; we shall not need to tell them with what Care and Patience we have, in the Midst of our necessities, attended their Resolutions; but, because their unseasonable Slowness may produce at home as ill Effects as a Denial, and hazard the whole Estate of Things abroad, we have thought fit, by you the Speaker, to let them know, That, without more Loss of Time, we look for a full and perfect Answer of what they will give for our Supply, according to our Expectation and their Promises; wherein, as we press for nothing beyond the present State and Condition of our Subjects, so will we accept no less than is proportionable to the Greatness and Goodness of the Cause; neither do we press them to a present Resolution in this, with a Purpose to precipitate their Counsels, much less to enter upon their Privileges;

but

(2) See Stat. at Large, 21. Jas. Cap. 34.

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An. i. Charles I. but to shew, that it is unfit to depend any longer upon  
1625. Uncertainties, whereby the whole Weight of the Af-  
fairs of Christendom may break in upon us on the  
sudden, to our Dishonour, and the Shame of this Na-  
tion. And, for the Business at home, we command  
you to promise them in our Name, that, after they have  
satisfied us in this our reasonable Demand, we shall  
not only continue them together at this Time, so long  
as the Season will permit, but call them shortly again  
to perfect those necessary Businesses which shall be now  
left undone; and now we shall willingly apply fit and  
seasonable Remedies to such just Grievances, which they  
shall present unto us in a dutiful and mannerly Way,  
without throwing an ill Odor upon our present Go-  
vernment, or upon the Government of our late blessed  
Father. And if there be yet who desire to find Fault,  
we shall think him the wisest Reprehender of Errors  
past, who, without reflecting backward, can give us  
Counsel how to settle the present Estate of Things,  
and to provide for the future Safety and Honour of  
the Kingdom.

And his Message to the same Pur-  
pose by the Chan-  
cellor of the Ex-  
chequer. The Heads of the Message, for drawing a more  
speedy Resolution from the House, concerning the  
King of Denmark, Count Mansfield, and his Ma-  
jesty's Army in the Low Countries, were these:

I. ' That his Majesty's Fleet being returned, and  
' the Victuals spent, the Men must of Necessity be  
' discharged, and their Wages paid, or else an assu-  
' red Mutiny will follow; which may be many  
' ways dangerous at this Time.

II. ' That his Majesty hath made ready about  
' 40 Ships, to be set forth on a second Voyage, to  
' hinder the Enemy, which want only Victuals  
' and some Men; which, without present Supply  
' of Money, cannot be set forth and kept together.

III. ' That the Army which is appointed in  
' every Coast must presently be disbanded, if they  
' be not forthwith supplied with Victuals and  
' Clothes.

IV.

IV. ' That if the Companies of *Ireland*, lately sent thither, be not provided for, instead of defending that Country, they will prove the Authors of Rebellion.

V. ' That the Season for providing healthful Victuals will be past, if this Month be neglected.  
 ' And therefore his Majesty commandeth me to tell you, that he desired to know, without further Delay of Time, what Supply you will give him for these his present Occasions, that he may accordingly frame his Course and Counsel. )

But all these Motives and Considerations were of small Weight with the Commons. They thought fit, however, some Days after, to return the King an Answer to his Message, which had been prepared by a grand Committee, appointed for that Purpose. This being twice read, was agreed to by the whole House; and, upon the Question, was to be delivered to the King by the Speaker. The Commons Answer, and the King's Replication to it are both preserved by *Rushworth*, in this Form:

*Most Gracious Sovereign,*

' YOUR Majesty's dutiful and loyal Subjects, the Commons now assembled in Parliament, in all Humility, present unto your Royal Wisdom this their loyal Answer to the Message which your Majesty was pleased, by the Chancellor of your Exchequer, to send unto them, desiring to know, without any further deferring of Time, what Supply they would give to your Majesty, for your present and extraordinary Occasions, that you might accordingly frame your Courses and Countels. First of all, they most humbly beseech your Majesty to know and rest assured, That no King was ever dearer to his People than your Majesty; no People more zealous to maintain and advance the Honour and Greatness of their King than they; which, as upon all Occasions they shall be ready to express, so especially in the Support of that Cause, where-

' in

An. 1. Charles I.  
1625.

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An. 1. Charles I.  
1635.

in your Majesty and your Allies are now justly engaged. And because they cannot doubt, but your Majesty, in your great Wisdom, even out of Justice, and according to the Example of your most famous Predecessors, will be pleased graciously to accept the faithful and necessary Information and Advice of your Parliament, which can have no End but the Service of your Majesty, and Safety of your Realm, in discovering the Causes, and proposing the Remedies of these great Evils, which have occasioned your Majesty's Wants, and your People's Grief:

They therefore, in Confidence and full Assurance of Redress therein, do, with one Consent, propose, (tho', in former Time, such Course hath been unused) that they really intend to assist and supply your Majesty in such a Way, and in so ample a Measure, as may make you safe at home, and feared abroad; for the Dispatch whereof they will use such Diligence, as your Majesty's pressing and present Occasions shall require.'

His Majesty made this Reply to the Commons Answer.

Mr. Speaker,

The King's Re-  
ply.

THE Answer of the Commons delivered by you, I like well of, and do take it for a full and satisfactory Answer, and I thank them for it; and I hope you will, with all Expedition, take a Course for Performance thereof, the which will turn to your own Good, as well as mine: But for your Clause therein, of presenting of Grievances, I take that but for a Parenthesis in your Speech, and not a Condition; and yet, for Answer to that Part, I will tell you, I will be as willing to hear your Grievances, as my Predecessors have been, so that you will apply yourselves to redress Grievances, and not to enquire after Grievances. I must let you know, that I will not allow any of my Servants to be questioned amongst you, much less such as are of eminent Place, and near unto

unto me. The old Question was, What shall be done <sup>An. 1. Charles.</sup> to the Man whom the King will honour? But now <sup>1625.</sup> it hath been the Labour of some, to seek what may be done against him whom the King thinks fit to honour. I see you specially aim at the Duke of Buckingham: I wonder what hath so altered your Affections towards him. I do well remember, that, in the last Parliament in my Father's Time, when he was the Instrument to break the Treaties, all of you (and yet I cannot say all, for I know some of you are changed, but yet the House of Commons is always the same) did so much honour and respect him, that all the Honour conferred on him was too little; and what he hath done since to alter and change your Minds, I wot not; but can assure you, he hath not medled, or done any Thing concerning the Public or Common-Wealth, but by special Directions and Appointment, and as my Servant; and is so far from gaining or improving his Estate thereby, that I verily think he hath rather impaired the same. I wish you would baslen my Supply, or else it will be worse for yourselves; for, if any Ill happen, I think I shall be the last that shall feel it.)

But the Spirit raised against the Minister could not be conjured down by any Thing the King could do; and no Supply was to be expected till the Duke was given up to public Vengeance. The Commons followed the Chace very warmly against him; and, in some of their Debates, very severe Expressions were used against the Court, particularly Mr. Clement Coke (<sup>x</sup>) said, That it was better to die by an Enemy, than to suffer at home. And another Member, Dr. Turner, a Physician, proposed to the House the following Queries, against the Duke, grounded upon public Fame

\* Whether the Duke, being Admiral, be not the Cause of the Loss of the King's Royalty in the narrow Seas?

\* Whether the unreasonable, exorbitant, and immense Gifts of Money and Lands, on the Duke and his

(x) Son of Sir Edward Coke.

**An. 1. Charles I.** his Relations, be not the Cause of impairing the  
1625. King's Revenue, and impoverishing the Crown ?

‘ Whether the Multiplicity of Offices, conferred upon the Duke, and others depending upon him, whereof they were not capable, be not the Cause of the evil Government of this Kingdom ?’

‘ Whether *Recusants*, in general, by a Kind of Connivency, be not born out and increased, by reason the Duke's Mother and Father-in-Law were known *Papists* ?’

‘ Whether the Sale of Offices, Honours, and Places of Judicature, with Ecclesiastical Livings and Promotions, a Scandal and Hurt to the Kingdom, be not thro' the Duke ?’

‘ Whether the Duke's staying at home, being Admiral and General in Chief of the Sea and Land Army, was not the Cause of the bad Success and Overthrow of the late Action ; and whether he gave good Direction for the Conduct of that Design ?’

When Mr. *Coke* spoke those Words, or when these *Queries* were delivered to the House, we are not told ; but the *Journals* inform us, that, the 14th of *March*, the Chancellor of the Exchequer delivered a Message from the King to the House, both concerning the Words spoken by Mr. *Coke*, and the six Articles proposed by Dr. *Turner* against the Duke ; yet they say no farther, than that Mr.

All which the King, by a Message, resents.

*Coke* stood up to clear himself from any ill Intention, tending to Sedition, in the Words ; but *Ruf-*  
*worth* is fuller, and gives us the Substance of the King's Message to the House, as well as Dr. *Tur-*  
*nner's* Excuse and Letter thereupon. The Message was in these Words :

‘ That his Majesty had taken Notice of a sedi-  
tious Speech uttered in the House by Mr. *Clement*  
‘ *Coke* : The Words are said to be to this Effect,  
‘ *That it were better to die by an Enemy, than to*  
‘ *suffer at home* : Yet his Majesty, in his Wisdom,  
‘ hath forbore to take any Course therein, or to  
‘ send

An. 1. Charles I.  
1641.

send to the House about it, not doubting but the House would, in due Time, correct such an Insolence : But his Majesty hath found, that his Patience hath wrought to an ill Effect, and hath emboldened one since to do a strange Act, in a strange Way, and unusual : That is Dr. *Turner*, who, on Saturday last, without any Ground of Knowledge in himself, or Proof tendered to the House, made an Enquiry of sundry Articles against the Duke of *Buckingham*, as he pretended ; but indeed against the Honour and Government of the King and his late Father. This, his Majesty saith, is such an Example, that he can by no Means suffer, tho' it were to make Enquiry of the meanest of his Servants, much less against one so near unto himself ; and doth wonder at the foolish Impudency of any Man that can think he should be drawn, out of any End, to offer such a Sacrifice, much unworthy the Greatness of a King, and Master of such a Servant : And therefore his Majesty can no longer use his wonted Patience, but desireth the Justice of the House against the Delinquents ; not doubt ing but such Course will be taken, that he shall not be constrained to use his regal Authority to fight himself against these two Persons.'

Upon this Message, Dr. *Turner* made a short Explanation of himself, desiring to know where with he was charged. What he said, he said, the House can witness ; and what he said, he spake for the general Good of the Common Wealth, and not upon the least Reflection of any in particular. This he thought a Parliamentary Way, warranted by antient Precedents. To accuse upon common Fame, he finds warranted, first, by the Imperial Roman Laws, and the Canons of the Church, which allowed common Fame sufficient to accuse any Man. And they that are learned amongst them give two Reasons: First, for Greatness. Next, for Cunning. Our Ancestors, within these Walls, have done the like, and that to a Duke, the Duke,

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An. 1. Charles I.  
1625. of Suffolk, in the Time of Henry VI. who was accused upon Faine. And, lastly, he said, Mr. Chancellor himself did present the common Undertakers upon particular Faine ; and why he should not have as ample Privilege in this Place, he knew no Reason to the contrary.'

The Commons having appointed another Day for the Debate of this Business, in the mean Time came this Letter from Dr. Turner to the Speaker.

SIR,

Dr. Turner's Excuse. These Lines first petition you to signify to the Honourable House of Commons, That my Desires are still the same to have made my personal Appearance before you, but my Ability and Strength to perform it are not the same ; and therefore that I humbly desire them to excuse me on that Part, and to accept of this my Answer unto the Matter that I shall speak to. I do confess, that, on Saturday last, in the Afternoon, I did deliver in certain Accusations of common Faine, into the House of Parliament, against my Lord Admiral, and that out of so many, all bearing the Signature of Vox Populi, I chose out some few, not because they were greater, or more known Grievances, but because they did seem to direct us to find out the Griever, or the first Cause : For I did think it was then full Time to agree the Agent and the Actions ; and that it was Time also to leave considering Grievances in Arbitration. I do now also agree unto you, that which hath been reported unto you by Mr. Wandesford ; and by that, if you shall think fit, will put myself unto your Censure ; hoping, and assuring myself, that you will find my Design to include nothing else within it, but Duty and p. bl c Service to my Country ; and, so, that my addressing those Accusations to the House of Parliament, shall, by you, be found to be done by a mannerly and Parliamentary Way. But, howsoever, it becomes me to submit my Cause to your Wisdoms and equal Judgments, which I do heartily ; and whatsoever you shall please to appoint me, I shall dutifully satisfy. When God shall be pleased to restore me

## Of ENGLAND. 435

me able to attend your Service, I doubt not but to give you an honest Account of all my Actions herein. And, if I shall first go to my Grave, I desire, if you find me clear, the Reputation of an honest Man, and an Englishman, may attend me thereunto. Thus I rest

An. 2. Charles I.  
1646.

Your dutiful  
To the Hon. Sir He-  
neage Finch, Speak-  
er to the House of  
Commons.  
and humble Servant,  
SAMUEL TURNER.

Notwithstanding the Order for another Hearing of this Matter, there is little or no further Mention made concerning it in the Journals, till many Days after, when the House came to debate on the Basis of Dr. Turner's Queries, *Whether common Fame was a sufficient Ground for Accusation?*

Upon this, April 22. a long Debate ensued in the House on the Question. Mr. Mallet began, and foreaid Querist said, 'That the Question, *Whether common Fame was a Ground sufficient for the Commons House of Parliament to proceed upon*, required great Consideration. That he was against it; tho', he confess'd, he had seen few original Precedents in the Case. But the Point, *Whether an Accusation upon common Fame be to be entertained there, and from thence transmitten to the Lords*, he was against, for these Reasons: *First*, Because it would disadvantage the Party accused; considering that he must answer the Fame as well as the Accusation. *Next*, Whosoever is accused here, and cleared, is, by the Justice of this House, to have Remedy against the Accuser; which, by this Course, he will want.'

' In the 7th of Richard II. an Accusation of Bribery was made against the Chancellor, by Cavendish: The Complaint being found false, he was adjudged to pay a Fine of 3000 Marks, to be imprisoned, &c.'

\* In the 17th of the same Reign, a Complaint was made by the Earl of Arundel against the Duke of Lancaster. He was acquitted, and the Duke

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Ch. 2. Charles I. ordered, in Parliament, to have Satisfaction from  
1626. Arundel.'

' That if this had been an Use in Parliament, it would, from thence, have been derived to other Courts; whereas no Temporal Court hath ever used it, except in Cases Capital, as in that of *Michael de la Pole*. So, in the Case of *Recusants*, he thought it might be lawful; because the Recusant, tho' indicted, yet, conforming and taking the Oaths, is freed from all Penalties of the Law. But this was not the Case in Question.'

' If this was calculated to prevent a Mischief, it might be tolerated; but, on the contrary, here, where it tends to Judgment. This, he said, was not like the Enquiry of a Grand Jury; yet no Grand Jury, except in the Case of *Recusants*, proceedeth upon common Fame, without other Proof. He likened the Resemblance of it to a double Judgment on Account; where the first Judgment must be grounded on a Verdict of Confession. Doubted this Precedent might be dangerous to inferior Temporal Courts, by way of Imitation.'

' That Petitions to this House for a Grievance are in Writing, the Petitioners present, and their Hands unto it. Lastly, he said, he remembred the Case of the Bishop of *Lincoln*, 12. Jac. which, upon special Reason, as concerning the Honour of this House, and for which they could have no other Ground of Proof, was yet rejected, because it had no other Ground.'

This Speech was answered, first, by Mr. *Wyld*; who quoted *Braeton*, ' That all Suspicions, grounded upon Fame, were to be regarded. That some Presumptions admit Proof to the contrary, others not: But that this Fame must arise amongst the better Sort. All our Law-Books concur in this Point, That an Act must first be done, and the Fame rise in the County where it was done. This is a good Ground for arresting upon any Felony; as Murder, Robbery, &c. and quoted several Acts of Parliament to prove it.'

Mr.

Mr. Littleton said, ‘ That this was not a House of definitive Judgment, but of Information, Denunciation, or Presentment, for which common Fame was sufficient. That there was a great Difference between common Fame and Rumour; The general Voice was common Fame; and, *Vox Populi, Vox Dei.* By the 14th of Edward II. common Fame was more than the Saying of one Man; for that it was the Voice of many. That common Fame was a good Ground of Imprisonment for Treason or Felony, by the 27th of Elizabeth; but the Person cannot then be said to be either a Felon or a Traitor.’

‘ That, in other States, antient and modern, Men had been not only accused, but condemned, by common Fame. He quoted Precedents; of the Duke of Suffolk’s Case, 28th Henry VI. the Duke of Somerset’s, 29th Henry VI. and the Bishop of Lincoln’s Case, in the 12th of James. Concluded, That a Man, accused by common Fame, is to answer only to the Accusation, and not the Fame.’

Mr. Browne, on the same Side, argued, ‘ That Accusation was to be allowed, but not Calumnia-tion: Calumnia-tion is, in an unfit Place, to lay an Asperion. That common Fame was called, by Civilians, *Semiplena Probatio*, arising out of apparent Signs. If a private Man accuse, and it be found false, he is liable to Punishment; because he had nothing to do in it: But, where a Member of this House does it, *libere licet Accusatio*, if the Place be proper for it; otherwise, not: Therefore, an Accusation, in this House, proper. That there was no Subject, how great soever, but what is questionable here, if he be grievous to the Common-Wealth: So, in all former Precedents; and this the only Place in which to question great Men.’

Sir Thomas Wentworth said, ‘ That if they could not present to the Lords upon common Fame, yet they might enquire and accuse, in that House, upon it. That this was the only Safeguard for Accusation of great Men; whereas, in all others, no Man dare accuse them for Fear of Danger. Men

An. 2. Charles,  
1616:

*An. 3. Charles I.* of evil Fame were not bailable; but to be bound  
1629. to good Behaviour by Act of Parliament. If com-  
mon Fame was sufficient for Treason and Felony,  
it was much more so in lesser Offences. And  
*Scandalum Magnatum* lieth not, where a Man can  
bring forth but one Author.'

Mr. Selden spoke next in this Debate, and ar-  
gued, ' That the Question was now only, Whe-  
ther this House may proceed to transmit to the  
Lords upon common Fame? And surely they  
might, else no great Man shall be accused, by any  
Particular, for Fear of Danger. The Faults of  
the Gods were not to be told, till the Goddess *Fame*  
was born. *De eo male creditur*, is put into Indict-  
ments for Murder. That this Course of Accusa-  
tion was held in all the Courts in *Christendom*.  
That these Cases were to be ruled by the Law of  
Parliaments, and not either by the Common or  
Civil Law. In the Case of the Duke of *Suffolk*,  
28th *Henry VI.* there was a general Rumour and  
Noise of great Offences done against the State.  
The Commons, taking Notice thereof, acquainted  
the Lords with that general Rumour, praying them  
he might be committed to the *Tower*; which the  
Lords, upon Consultation with the Judges, refused;  
because the Charge was only general: Thereupon  
the Commons instanced, in one Particular, That  
the *French King* was ready to invade the Kingdom  
thro' his Default; whereupon he was presently  
committed. In the Duke of *Somerset's* Case, 29th  
*Henry VI.* the like Clamour upon common Fame,  
and the Parties complained of were removed from  
their Offices.'

Mr. Rolle said, ' The Commons may present a  
Lord of the Higher House to the Lords; for he is  
not compellable to answer in this: And, if we can-  
not present upon common Fame, he can never be  
drawn to answer. If the Offence tend to Felony  
or Treason, the Commons may pray to have him  
committed, in respect to the Quality of the Fact;  
but it is otherwise in smaller Offences. In the 5th  
of *Henry IV.* a Complaint was made against the  
King's

King's Confessor, and some others : Hereupon the <sup>An. 2. Charles I.</sup> Lords ordered they should be removed from about the King. And the King, in Parliament, tho' he knew no Cause particularly, yet, because the Lords and Commons had thought them unfitting, he there commanded them to come no more near him ; and that if there was any others, against whom the Lords and Commons had Indignation, he would remove them also (y).<sup>1</sup>

Mr. Sherland argued, ‘ That, in a Case where there was *probabilis Causa litigandi*, no Damages were ever awarded. That common Fame was allowed to be *semiplena Probatio*. That the Life and Soul of the Common-Wealth was of greater Respect than Felony. He said, there was as well a real Treason as a legal Treason ; the first tantamount to the other : Therefore common Fame was a sufficient Ground in this Case, as well as for Felony.’

The last who spoke in this Debate, on the same Side, was Mr. Noy, who said, ‘ That Men bound by Recognizance were sometimes imprison'd on common Fame. That this House could but enquire, they had no other Jurisdiction ; for they were no Church Wardens nor Grand Jury. And it was wrong he said, that the Fault should go unpunished, because no Man durst accuse. The Grounds for an Enquiry were two ; the first, common Fame ; the next, whether that Fame be true. That they ought not to transmit without the first be common ; but without the particular Enquiry they might : For it might happen they could not get Witnesses ; supposing the Witnesses to be of the House of Lords.’

It is easy to see, by the Course of this Debate, that the Duke had few Advocates in the House of Commons. We do not even find that the State-Officers in that House said any Thing in his Favour ; only we are told, that the Chancellor of the Dutchy being asked his Opinion, gave it against this Proceeding by common Fame.

Upon

(1) See Vol. II. p. 79, 255, 263.

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An. 3. Charles I.  
1636. Upon the whole the Question was put, ‘ Whether common Fame was a good Ground of proceeding, either to enquire of it there, or transmit the Complaint, if the House think fit, to the King or the Lords?’ It was carried in the Affirmative by a great Majority.

The Commons proceeded with great Vigour against the Duke. Several Committees, appointed for particular Enquiries into his Conduct, brought in their Reports, and many Votes and Resolutions were taken upon them; which we shall postpone till we come to the general Charge against him. But, amongst the rest of the Committees, there was one appointed to consider of a Supply to be granted to the King; and, March 27, Sir Dudley Digges made the Report from it. The same Day it was resolved upon the Question, ‘ That three Subsidies and three Fifteens should be granted to his Majesty in this Session of Parliament, payable at three separate Times; the Bill to be brought in, when they had presented their Grievances, and received his Answer to them.’

And also to grant  
a Supply.

Debate on the  
Duke's Affairs.

Hand in Hand with the Supply went the Commons Proceedings against the Duke. Rushworth informs us of one Day’s Debate on that Matter; and that Sir W. Walter, if his Name be not mistaken in those Collections (2), represented to the House, ‘ That the Cause of all their Grievances was, because, as it was said of Louis XI. of France, All the King’s Council rides upon one Horse: Therefore the Parliament was to advise his Majesty, as Jethro did Moses, to take unto him Assistants with these Qualities:

1. ‘ *Note*, from amongst all the People; not Upstarts, and of a Night’s Growth.’
2. ‘ *Men of Courage*; such as will execute their own Places, and not commit them to base and undeserving Deputies.’
3. ‘ *Fearing God*; who halt not betwixt two Opinions, or incline to false Worship, in respect of a Mother, Wife, or Father.’

4. ‘ *Deals*

(2) More probably Sir William Waller,

4. ‘*Dealing truly*; for Courtship, Flattery, and Pretence, become not King’s Counsellors; but they must be such as the King and Kingdom may trust.’

5. ‘*Hating Covetousness*; no Bribers, or Sellers of Places in Church or Common-Wealth, much less Honours and Places about the King, and least of all such as live upon other Men’s Ruins.’

6. ‘They should be *many*, set over Thousands, Hundreds, Fifties, and Tens, one Man not engrossing all. Where there is Abundance of Counsel, there is Peace and Safety.’

7. ‘They must judge of *small Matters*; the greater must go to the King himself, not all to the Council; much less any one Counsellor must alone manage the whole Weight; but royal Actions must be done only by the King.’

Lastly, ‘*Moses chose them Elders*, not young Men. *Solomon*, by Miracle and Revelation, was wise, being young; but neither his Son, nor his young Counsellors, had that Privilege: No more is it expected in any of our Counsellors, untill, by Age and Experience, they have attained it.’

Sir John Elliot continued the Debate, and thus spake: ‘We have had, says he, a Representation of great Fear; but, I hope, that shall not darken our Understandings. There are but two Things considerable in this Business: *First*, The Occasion of our Meeting: And, *secondly*, The present State of our own Country. The first of these we all know, and it hath at large been made known unto us, and therefore needeth no Dispute. The latter of these we ought to make known, and draw and shew it, as in a Perspective, in this House: For our Wills and Affections were never more clear, more ready as to his Majesty; but, perhaps, baulk’d and check’d in our Forwardnets, by those the King intrusts with the Affairs of the Kingdom. The last Action was the King’s first Action; and the first Actions and Designs of Kings are of great Observance in the Eye of the World; for thereon much dependeth the Esteem or Disesteem of their future Proceedings.

And

An. 2. Charles I.  
1626.

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An. 2. Charles I.  
1626. And, in this Action, the King and Kingdom have suffered much Dishonour: We are weaken'd in our Strength and Safety, and many of our Men and Ships are lost. This great Design was fix'd on the Person of the Lord General, who had the whole Command both by Sea and Land: And can this great General think it sufficient to put in his Deputy and stay at home? Count Mansfield's Actions were so miserable, and the going out of those Men so ill managed, as we are scarce able to say they went out. That handful of Men sent to the *Palatinate*, and not seconded, what a Loss was it to all *Germany*? We know well who had then the King's Ear. I could speak of the Action of *Alger*; but I will not look so far backward. Are not Honours now sold, and made despicable? Are not judicial Places sold? And do not they then sell Justice again? *Vendere Jure potest, emerat ille prius.* Tully, in an Oration against *Verres*, notes, That the Nations were Suitors to the Senate of *Rome*, that the Law, *de Pecunis repetundis*, might be recalled: Which seems strange, that those that were Suitors for the Law, should seek again to repeal it; but the Reason was, it was perverted to their Ill. So it is now with us; besides inferior and subordinate Persons that must have Gratuities, they must now feed their great Patrons.'

' I shall, to our present Case, cite two Precedents: The first is in *Henry III*. The Treasure was then much exhausted; many Disorders complained on; the King wronged by some Ministers; many Subsidies were then demanded in Parliament, but they were denied: And then the Lords and Commons joined to desire the King to re-assume the Lands which were improvidently granted, and to examine his great Officers, and the Causes of those Evils which the People then suffered. This was yielded unto by the King, and *Hugh de Burgo* was found faulty, and was displaced, and then the Commons, in the same Parliament, gave Supply. The second Precedent was in the tenth Year of *Richard II*. Then the

Times

Times were such, and Places so changeable, that any great Officer could hardly fit to be warm'd in his Place. Then also Monies had been formerly given, and Supply was at that Parliament required : The Commons denied Supply, and complained that their Monies were misemployed ; that the Earl of Suffolk [Michael de la Pole] then over-ruled all ; and so their Answer was, *They could not give.* And they petitioned the King, that a Commission might be granted, and that the Earl of Suffolk might be examined. A Commission, at their Request, was awarded ; and that Commission recites all the Evil then complained of, and that the King, upon the Petition of the Lords and Commons, had granted that Examination should be taken of the Crown Lands which were sold ; of the ordering of his Household ; and the Disposition of the Jewels of his Grand-Father and Father. I hear nothing said in this House of our Jewels, nor will I speak of them ; but I could wish they were within these Walls. We are now in the same Case with those former Times ; we suffer alike, or worse : And therefore, unless we seek Redress of these great Evils, we shall find Disability in the Wills of the People to grant. I wish therefore, that we may hold a dutiful Pursuance in preparing and presenting our Grievances : For the three *Subsidies* and three *Fifteens* which are proposed, I hold the Proportion will not suit with what we would give ; but yet I know it is all we are able to do, or can give ; and yet this is not to be the Stint of our Affections, but to come again, to give more upon just Occasions.'

*March 28.* The King sent a Message to both Houses to require their Attendance on him, at Whitehall, the next Day, at Nine o'Clock ; and, in the mean Time, all Proceedings in the House and in Committees were to cease. Accordingly the Lords and Commons went thither, to whom his Majesty made the ensuing Speech :

My

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An. 2. Charles I.  
1626.

My Lords and Gentlemen,

His Speech to them.

I Have called you bither To day, I mean both Houses of Parliament; but it is for several and distinct Reasons. My Lords, you of the Upper House, to give you Thanks for the Care of the State of the Kingdom now; and not only for the Care of your own Proceedings, but inciting your Fellow-House of the Commons to take that into their Consideration: Therefore, my Lords, I must not only give you Thanks, but I must also avow, That if this Parliament do not redound to the Good of this Kingdom, (which I pray God it may) it is not your Faults. And you, Gentlemen of the House of Commons, I am sorry that I may not justly give the same Thanks to you; but that I must tell you, that I am come here to shew you your Errors; and, as I may call it, Unparliamentary Proceedings in this Parliament: But I do not despair, because you shall see your Faults so clearly by the Lord Keeper, that you may so amend your Proceeding, that this Parliament shall end comfortably and happily, tho' at the Beginning it hath had some Rubs.

Then the Lord Keeper, by the King's Command, spoke next.

My Lords, and you Knights, Citizens, and Burghesses of the House of Commons,

And the Lord Keeper's.

YOU are here assembled by his Majesty's Command, to receive a Declaration of his Royal Pleasure; which, altho' it be intended only to the House of Commons, yet his Majesty hath thought meet, the Matter being of great Weight and Importance, it should be delivered in the Presence of both Houses, and both Houses make one general Council. And his Majesty is willing that the Lords should be Witnesses of the Honour and Justice of his Resolutions. And therefore the Errand which, by his Majesty's Direction, I must deliver, hath Relation to the House

of

\* of Commons. I must address myself therefore An. 2. Charles I.  
\* to you, Mr. Speaker, and the rest of that House. 1626.

\* And, first, his Majesty would have you to understand, That there was never any King more loving to his People, or better affectioned to the right Use of Parliaments, than his Majesty hath approved himself to be; not only by his long Patience since the sitting down of this Parliament, but by those mild and calm Directions, which, from Time to Time, that House hath received by Message and Letter, and from his Royal Mouth, when the irregular Humours of some particular Persons wrought Diversions and Distractions there, to the Disturbance of those great and weighty Affairs, which the Necessity of the Times, the Honour and Safety of the King and Kingdom, called upon: And theretore his Majesty doth assure you, that when these great Affairs are settled, and that his Majesty hath received Satisfaction of his reasonable Demands, he will, as a just King, hear and answer your just Grievances, which, in a dutiful Way, shall be presented unto him; and this his Majesty doth avow.

\* Next, his Majesty would have you to know of a surety, That, as never any King was more loving to his People, nor better affectioned to the right Use of Parliaments; so never King was more jealous of his Honour, nor more sensible of the Neglect and Contempt of his Royal Rights, which his Majesty will by no Means suffer to be violated by any pretended Colour of Parliamentary Liberty; wherein his Majesty doth not forget, that the Parliament is his Council, and therefore ought to have the Liberty of a Council; but his Majesty understands the Difference betwixt Council and Controlling, and between Liberty and the Abuse of Liberty.

\* This being set down in general, his Majesty hath commanded me to relate some particular Passages and Proceedings, whereat he finds himself aggrieved.

An. &c. Charles I. 2626.

' *First*, Whereas a seditious Speech was uttered amongst you by Mr. Coke, the House did not, as they ought to do, censure and correct him. And when his Majesty, understanding it, did, by a Message, by Mr. Chancellor of the Exchequer deliver'd to the House, require Justice of you ; his Majesty hath since found nothing but protracting and Delays. This his Majesty holds not agreeable to the Wisdom and the Duty which he expected from the House of Commons.

' *Secondly*, Whereas Dr. Turner, in a strange Unparliamentary Way, without any Ground of Knowledge in himself, or offering any particular Proof to the House, did take upon him to advise the House to enquire upon sundry Articles against the Duke of Buckingham, as he pretended ; but, in Truth, to wound the Honour and Government of his Majesty, and of his renown'd Father ; and his Majesty, first, by a Message, and, after, by his own Royal Mouth, did declare, That that Course of Enquiry was an Example, which by no way he could suffer, tho' it were against his meanest Servant, much less against one so near him ; and that his Majesty did much wonder at the foolish Insolency of any Man that can think, that his Majesty should be drawn, out of any End, to offer such a Sacrifice, so unworthy of a King, or a good Master ; yet, for all this, you have been so far from correcting the Insolency of *Turner*, that, ever since that Time, your Committees have walked in the Steps of *Turner*, and proceeded in an Unparliamentary Inquisition ; running upon Generals, and repeating that whereof you have made Fame the Ground-Work. Here his Majesty hath Cause to be exceeding sensible, that, upon every Particular, he finds the Honour of his Father stain'd and blemish'd, and his own no lets ; and, withall, you have manifested a great Forwardness rather to pluck out of his Bosom those who are near about him, and whom his Majesty hath Cause to affect, than to trust his Majesty with the future

' Re-

An. 2. Charles I.

1626.

• Reformation of these Things which you seem to aim at : And yet you cannot deny, but his Majesty hath wrought a greater Reformation in Matters of Religion, Execution of the Laws, and concerning Things of great Importance, than the Shortness of his Reign (in which he hath been hindred, partly thro' Sickness, and the Distraction of Things, which we could have wished had been otherwise) could produce.

• Concerning the Duke of *Buckingham*, his Majesty hath commanded me to tell you, That himself doth better know than any Man living the Sincerity of the Duke's Proceedings ; with what Cautions of Weight and Discretion he hath been guided in his public Employments from his Majesty and his blessed Father ; what Enemies he hath procured at home and abroad ; what Peril of his Person, and Hazard of his Estate he ran into for the Service of his Majesty, and his ever blessed Father ; and how forward he hath been in the Service of this House many Times since his Return from *Spain* : And therefore his Majesty cannot believe that the Aim is at the Duke of *Buckingham* ; but findeth, that these Proceedings do directly wound the Honour and Judgment of himself, and of his Father. It is therefore his Majesty's express and final Commandment, That you yield Obedience unto those Directions which you have formerly received, and cease this Unparliamentary Inquisition ; and commit unto his Majesty's Care, and Wisdom, and Justice, the future Reformation of these Things, which you suppose to be otherwise than they should be. And his Majesty is resolved, that, before the End of this Session, he will set such a Course, both for the amending of any Thing that may be found amiss, and for the settling of his own Estate, as he doubteth not but will give you ample Satisfaction and Comfort.

• Next to this, his Majesty takes Notice, That you have suffered the greatest Council of State to

• be

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An. 2. Charles I.  
1626.

be censured and traduced in the House, by Men whose Years and Education cannot attain to that Depth : That foreign Businesses have been entertained in the House, to the Hinderance and Disadvantage of his Majesty's Negotiations : That the same Year, yea, the first Day of his Majesty's Inauguration, you suffered his Council, Government, and Servants to be paralell'd with the Times of most Exception : That your Committees have presumed to examine the Letters of Secretaries of State, nay, his own ; and sent a general Warrant to his Signet-Office, and commanded his Officers, not only to produce and shew the Records, but their Books and private Notes, which they made for his Majesty's Service. This his Majesty holds as unsufferable, as it was in former Times unusual.

Next I am to speak concerning your Supply of Three Subsidies and Three Fifteenths, which you have agreed to tender to his Majesty. You have been made acquainted with the Greatness of his Affairs, both at home and abroad ; with the strong Preparation of the Enemy ; with the Importance of upholding his Allies, strengthening and securing both *England* and *Ireland*, besides the encountering and annoying the Enemy by a powerful Fleet at Sea, and the Charge of all : This having been calculated unto you, you have professed unto his Majesty, by the Mouth of your Speaker, your Carefulness to support the Cause wherein his Majesty and his Allies are justly engaged ; your unanimous Consent and real Intention to supply his Majesty in such a Measure as should make him safe at home, and feared abroad ; and that, in the Dispatch hereof, you would use such Diligence, as his Majesty's pressing and present Occasions did require.

And now his Majesty having erected a Proceeding suitable to this Engagement, he doth observe, that, in two Days only of twelve, this Business was thought of ; and not begun, till his Ma-

## Of E N G L A N D. 449

• Majesty, by a Message, put you in mind of it ; An. 2. Charles I.  
• whilst your Inquisition, against his Majesty's Di- 1626.  
• rection, proceeded Day by Day.

• And, for the Measure of this Supply, his Ma-  
• jesty findeth it so far from making himself safe  
• at home, and feared abroad, as, contrarywise, it  
• exposeth him both to Danger and Disesteem ;  
• for his Majesty cannot expect, without better  
• Help, but that his Allies must presently disband,  
• and leave him alone to bear the Fury of a pro-  
• voked and powerful Enemy ; so as both he and  
• you shall be unsafe at home, and ashamed and  
• despised abroad. And for the Manner of the  
• Supply, it is in itself very dishonourable, and full  
• of Distrust ; for although you have avoided the  
• literal Word of a Condition, whereof his Majesty  
• himself did warn you, when he told you of your  
• Parenthesis ; yet you have put to it the Effect of  
• a Condition, since the Bill is not come into your  
• House, untill your Grievances be both preferred  
• and answered. No such Thing was in that Ex-  
• pression and Engagement delivered by your Speak-  
• er, from which his Majesty holdeth that you  
• have receded both in Matter and Manner, to  
• his great Disadvantage and Dishonour. And  
• therefore his Majesty commandeth, that you go  
• together, and by Saturday next, return your final  
• Answer, what further Supply you will add to  
• this you have already agreed on ; and that to be  
• without Condition, either directly or indirectly,  
• for the Supply of these great and important Af-  
• fairs of his Majesty ; which, for the Reasons for-  
• merly made known unto you, can endure no  
• longer Delay ; and, if you shall not by that Time  
• resolve on a more ample Supply, his Majesty  
• cannot expect a Supply this Way, nor promise  
• you to sit longer together ; otherwise, if you do  
• it, his Majesty is well content, that you shall sit  
• so long as the Season of the Year will permit ;  
• and doth assure you, that the present Addition to  
• your Supply to set forward the Work, shall be no  
• Hindrance to your speedy Accels again.

An. 2. Charles I.  
1626.

‘ His Majesty hath commanded me to add this,  
 ‘ That therein he doth expect your chearful Obe-  
 ‘ dience, which will put a happy Issue to this  
 ‘ Meeting, and will enable his Majesty not only to  
 ‘ a defensive War, but to employ his Subjects in  
 ‘ foreign Actions, whereby will be added to them  
 ‘ both Experience, Safety and Honour.’

‘ Last of all, his Majesty hath commanded me,  
 ‘ in Explanation of the gracious Goodness of his  
 ‘ Royal Intention, to say unto you, That he doth  
 ‘ well know, that there are among you many wise  
 ‘ and well tempered Men, well affected to the Pub-  
 ‘ lick, and to his Majesty’s Service; and that those  
 ‘ that are willingly faulty are not many: And,  
 ‘ for the rest, his Majesty doubteth not, but, after  
 ‘ his gracious Admonition, they will, in due Time,  
 ‘ observe and follow the better Sort; which, if  
 ‘ they shall do, his Majesty is most ready to forget  
 ‘ whatsoever is past.’

Then his Majesty spake again,

The King's fur-  
ther Speech.

I Must withall put you in mind a little of Time past; you may remember, that, in the Time of my bles-  
 sed Father, you did, with your Counsel and Persua-  
 sion, persuade both my Father and me to break off the  
 Treaty; I confess I was your Instrument for two Rea-  
 sons; one was, the Fitness of the Time; the other,  
 because I was seconded by so great and worthy a Body  
 as the whole Body of Parliament: Then there was no  
 body in so great Favour with you, as this Man whom  
 you seem now to touch, but indeed, my Father’s Go-  
 vernment and mine. Now that you have all Things  
 according to your Wishes, and that I am so far en-  
 gaged that you think there is no Retreat; now you  
 begin to set the Dice, and make your own Game:  
 But, I pray you be not deceived, it is not a Parlia-  
 mentary Way, nor it is not a Way to deal with a King.

Mr. Coke told you, It was better to be eaten up  
 by a Foreign Enemy, than to be destroyed at Home.  
 Indeed I think it more Honour for a King to be in-  
 vaded, and almost destroyed by a Foreign Enemy, than  
 to be despised by his own Subjects.

Remem-

## OF ENGLAND. 451

Remember, that Parliaments are altogether in my An. 2. Charles I.  
Power for their Calling, Sitting, and Dissolution; 1626,  
therefore as I find the Fruits of them good or evil, they  
are to continue, or not to be: And, remember, that,  
if in this Time, instead of mending your Errors, by  
Delay you persist in your Errors, you make them  
greater, and irreconcileable: Whereas, on the other  
Side, if you do go on chearfully to mend them, and  
look to the distressed State of Christendom, and the  
Affairs of the Kingdom, as it lieth now by this great  
Engagement; you will do yourselves Honour, you  
shall encourage me to go on with Parliaments, and,  
I hope, all Christendom shall feel the Good of it.

The King being, very soon after this, informed  
that some Things in his own Speeches and others  
in the Lord Keeper's were subject to Misunder-  
standing, was willing to have them explained. A  
Message from the Lords was sent down to the lower  
House, March the 30th, to desire a Conference  
with them, immediately, in the Painted-Chamber.  
Which, being accepted of, the Duke of Bucking-  
ham, as ordered by his Majesty, made the follow-  
ing Declaration:

• **W**hereas it is objected by some, who wish The Duke of  
• good Correspondency betwixt the King Buckingham ex-  
• and People, that to prefix a Day to give or to plains some Mis-  
• break, was an unusual Thing, and might express appreheensions of  
• an Inclination in the King to break; to remove the King's and  
• this, as his Majesty was free from such Thoughts, the Lord Keep-  
• he hath descended to make this Explanation. er's Speeches.

• That as his Majesty would not have you con-  
• dition with him directly or indirectly, so he will  
• not lie to a Day, for giving further Supply; but  
• it was the pressing Occasion of Christendom that  
• made him to pitch upon a Day.

• His Majesty hath here a Servant of the King  
• of Denmark, and another from the Duke of  
• Weymer; and Yesterday received a Letter from  
• his Sister the Queen of Bohemia, who signified  
• that the King of Denmark hath sent an Ambas-

An. 2. Charles I. 1626. fador, with Power to perfect the Contract which  
 was made at the *Hague*; so it was not the King,  
 but Time, and the Things themselves that preffed  
 a Time.

Therefore his Majesty is pleased to give longer  
 Time, hoping you will not give him Cause to  
 put you in Mind of it again; so that you have a  
 greater Latitude, if the Business require to think  
 further of it.

I am commanded further to tell you, that if  
 his Majesty should accept of a less Sum than will  
 suffice, it will deceive your Expectations, disap-  
 point his Allies, and consume the Treasure of the  
 Kingdom; whereas, if you give largely now,  
 the Business being at the Crisis, it comes so sea-  
 sonably, it may give a Turn to the Affairs of  
*Christendom*.

But while we delay and suffer the Time to  
 pass, others abroad will take Advantage of it, as  
 the King of *Spain* hath done, by concluding a  
 Peace, as 'tis thought, in *Italy*, for the *Valtoline*;  
 whereby our Work is become the greater, because  
 there can be no Diversion that Way.

As it was a good Rule to fear all Things and  
 nothing, and to be liberal was sometimes to be  
 thrifty; so in this Particular, if you give largely,  
 you shall carry the War to the Enemy's Door,  
 and keep that Peace at Home that hath been:  
 Whereas, on the contrary, if you draw the War  
 Home, it brings with it nothing but Distur-  
 bance and Fear, all Courses of Justice stopp'd,  
 and each Man's Revenue lessened, and nothing  
 that can be profitable.

Another Explanation I am commanded to  
 make, touching the Grievances; wherein his  
 Majesty means no way to interrupt your Pro-  
 ceedings, but hopes you will proceed in the an-  
 tient Ways of your Predecessors; and not so  
 much seek Faults, as the Means to redress them.

I am further commanded to tell you, That  
 his Majesty intends to elect a Committee of both  
 Houses, whom he will trust to take the View of  
 his

his Estate, the Defects of which are not fit for An. a. Charles I.  
 the Eyes of a Multitude ; and this Committee  
 will be for your Ease, and may sat sy you,  
 without casting any ill Odour on his Govern-  
 ment, or laying open any Weakness that may bring  
 Shame upon us abroad. That which is proposed  
 is so little, that when the Payment comes, it  
 will bring him to a worse Estate than now he is  
 in ; therefore wishes You to enlarge it, but leaves  
 the Augmentation to Yourselves ; but is sorry,  
 and touch'd in Conscience, that the Burthen  
 should lie on the poorest, who want too much  
 already ; yet he will not prescribe, but wish that  
 you, who were the Abettors and Counsellors of  
 this War, would take a greater Part of the Burthen  
 to yourselves ; and any Man that can find out  
 that Way, shall shew himself best affected, and  
 do the best Service to the King and State.'

The Duke then made his Address to them in his own Behalf.

*My Lords and Gentlemen,*

YOU were all Witnesses Yesterday how good And also vindictive  
 and gracious a Master I serve ; and I shall cates himself.  
 likewise be glad that you be Witnesses how thank-  
 ful a Heart I have.

And, I protest, I have a Heart as full of Zeal to  
 serve my Master, as any Man ; and it hath been  
 my Study to keep a good Correspondency betwixt  
 the King and his People : And, whatever Thought  
 hath been entertain'd of me, I shall not alien my  
 Heart from that Intention, but shall add Spurs to  
 my Endeavours and Actions, to vindicate myself  
 from ill Opinion.

And however I lie under the Burden of the  
 same, it lies in your Hands to make me happy  
 or not ; and, for my Part, I wish my Heart and  
 Actions were known to you all ; then, I assure  
 myself, you would resume me to your good  
 Opinions.

When I had, with some Hazard, waited on  
 my Master into Spain, it is well known what  
 Testimony I gave of my Religion ; and no Man

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An. 2. Charles I. 1626. ' that comes to a true and near View of my Actions, can justly charge me. Let me be excused if I give Account of this Particular, when I shou'd speak of the General; for this goes near my Heart, and to dissemble with my Conscience, no Ends of Fortunes in the World can make me do it: For, if I had any ill Inclination, I had such Offers made to me in Spain, as might have tempted me.

' If I would have been converted myself, I might have had the *Infanta* put in my Master's Bed; and, if my Discontent should have risen here, I might have had an Army to have come with me: But I thought the Offer foolish, ridiculous and scornful, in that Point of Religion.

' I will now take the Boldness to speak a little in the general Business; and I call it Boldness to speak after one who did so well the other Day: But I had rather suffer in my own Particular, than not refresh your Memories with that which is materially needful.

' I shall not need to reflect so far back as to the Beginning of those Counsels which engaged my Master into the War, they are all well known; only I will so far touch it, as to say, that the last Year's Preparations were not voluntary, or out of Wantoness, but out of Necessity.

' My Master had good Intelligence that the King of Spain's Eye was maliciously bent this Way, which had been pursued accordingly, if the Employment of the *Low-Country-Men* to the Bay of *Todos los Santos* had not diverted it.

' Now, for the Counsel which was used in sending out the Fleets, I will refer you to the Relation of the Lord *Conway*; who, as well in this as other Resolutions, can tell you, that nothing was carried with single Counsels: And, for myself, I know, that in all those Actions, no Man can stand up against me, to say, that I ever did go with single Counsels, or made Breach of any; but have been an obedient Servant and Minister unto their Resolutions: The Proof whereof will appear

• appear in a Journal thereof, which my Lord <sup>An. 2. Charles I.</sup> Conway keeps. <sup>1626.</sup>

• I confess all Counsels were not ever as yourselves would, nor have wished they should ; if you had known them as my Master did, in whom the former Affairs of State had bred such Affectations, that the Business being altered, they were not to be trusted with the Change.

• I will now give you an Account of all my Negotiations, since my being at Oxford, both at home and abroad ; and because there it was charged, that those Things were carried with single Counsels, I was more careful to advise the King to have his Council with him in the Country, being to enter into War with an active King.

• And, for my Part, I did diligently wait on the Council, left all Recreations, all personal Occasions, studying to serve my Master, and to gain the good Opinion of both Houses. / The Council of Woodstock generally advised the going-out of the Fleet ; and tho' it were objected, that the Season were not fit, yet the Action shewed the contrary, for they all arrived in Safety. And for what was also objected, that the Provision was not good, Experience tells you the contrary ; for the Preparations were all good in Quality and Proportion.

• And if the Success were not such as any honest Man could wish, I hope I shall not be blamed, not being there in Person, though I made the greatest Suit for it to my Master, that ever I did for any thing : But his Majesty thought my Service more useful in the Low Countries, to comfort his Sister, and to treat with the Kings of Denmark, Sweden and the States

• And though the Success (as I said) of the Fleet, were not answerable to the Desires of honest Men, yet it had these good Effects ; First, it put our Enemy to great Charge in fortifying his Coasts. Secondly, they took so many Ships as caused many of his Merchants to break, whereby the Army

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An. 2. Charles I. 3626. ' Army in *Flanders* suffered much : And, lastly,  
they could carry no Treasure out to pay their  
Forces in *Flanders*.

' And for Omissions of what more might have  
been done, I leave that to its proper Place and  
Time, and let every Man bear his own Burden.

' From *Oxford* the Council went to *Southamp-*  
*ton*, where the *States* Ambassadors did wait often  
on the King and Council ; and a League, Offen-  
sive and Defensive, betwixt us and them, was  
thought fit to be resolved on, whereof some  
Reasons I will express, but not all. First, they  
are of our own Religion. Secondly, they are  
our Neighbours, for Situation so useful, as when  
they are in Distress, it is Policy in us to give  
them Relief ; therefore the King thought fit to  
do it in such a Manner as might lay an Obliga-  
tion on them ; which, if it had not been done,  
they had been pressed with a long War, and such  
a Faction among themselves, as, if the King had  
not joined, and in a Manner appeared their Pro-  
tector, they had broke among themselves. And  
in this the King's Care was not only of them,  
but of all *Christendom*, and of his own Particu-  
lar.

' For, as before, he only assisted them ; his  
Majesty's Care now used Arguments to draw them  
to Contribution ; so that they bear the fourth Part  
of the Charge of the War at Sea, according to  
such Conditions, as, by the Lord Chamberlain,  
you have heard.

' This League being perfected between the  
*States* and us, his Majesty, by Advice of his  
Council, thought fit to send me to get such a  
League with the other Princes as I could. The  
Rendezvous was in the *Low Countries*, being in  
a Manner the Centre for Repair for *England*,  
*France*, and *Germany* ; I had Latitude of Com-  
mission to make the League with most Advan-  
tage I could.

' Now I had discovered from Monsieur B—,  
the French Ambassador here, that a League, Of-  
fensive

## Of ENGLAND. 457

• fensive and Defensive, would be refused ; and I An. 2. Charles L.  
• found the King of *Denmark* shie, and loath to 1626.  
• enter into such a League against the King of  
• *Spain* ; and so, partly out of Necessity, and  
• partly out of Reasons of State, I was forced to  
• conclude the League in general Terms, for the  
• restoring the Liberty of *Germany*, without nam-  
• ing the King of *Spain*, or the Emperor, that  
• other Princes might come in ; and this to conti-  
• nue till every one had Satisfaction ; and nothing  
• to be treated of, debated, or concluded on, but  
• by Consent of all Parties. It did appear that the  
• Charge was so great, that the Kingdom could  
• not endure it ; and therefore I endeavoured, in  
• the *Low Countries*, to lessen it, and so the Sea-  
• Charge was helped ; and the Land-Assistance  
• given unto them, is to cease six Months hence,  
• which the Lord *Conway* said was to end in Sep-  
• tember next.

• Also, by this Treaty, it is conditioned with  
• the King of *Denmark*, that when my Master  
• shall, by Diversion, equal to this Contribution  
• with his own Subjects, enter into Action, then  
• his Charge to cease : Or if the King of *France*  
• may be drawn in, of which there is great Hope  
• (though he hath now made Peace in *Italy*) for  
• that the Policy of *France* may not give Way  
• unto the Greatness of the House of *Austria* and  
• Ambition of *Spain*, whose Dominions do grasp  
• him in on every Side ; and, if the Busines be  
• well carried, his Engagement to the King of  
• *Denmark* may draw him in ; so there is great  
• Possibility of easing our Charge.

• But all is in the discreet taking of the Time ;  
• for, if not, we may think the King of *Denmark*  
• will take hold of those fair Conditions which are  
• each Day offered him ; and then the Enemy's  
• Army will fall upon the River of *Elve*, and (the  
• Lord *Conway* added) upon *East-Frieland*, from  
• whence they would make such Progress, as (in  
• my poor Experience) wold ruin the *Low Coun-  
• tries*.

• And

An. 2. Charles I.  
1626.

‘ And thus I think I have satisfied all of you, or  
 ‘ at least given an Account of my Negotiation in  
 ‘ the *Low Countries*, with the King of *Denmark*,  
 ‘ *Sweden*, and the rest.

‘ I should be glad, before I end, to say some-  
 ‘ what of myself, but I shall request your favour-  
 ‘ able Construction, for I have been too long al-  
 ‘ ready ; but I fear I shall offend, and therefore I  
 ‘ will restrain myself to Generals.

‘ If, in any of these Employments, my Errors  
 ‘ may be shewed me, I shall take him for my best  
 ‘ Friend that will manifest them in particular. I  
 ‘ have bent all my Thoughts on nothing but my  
 ‘ Master’s Honour, the Service of the State, and  
 ‘ Safety of them both. I never had any End of  
 ‘ mine own, and that may be perceived and proved  
 ‘ by the Expence of mine own Estate. I am  
 ‘ ashamed to speak it, and it would become ano-  
 ‘ ther Man’s Tongue better than mine own.

‘ My Journey into *Spain* was all at my own  
 ‘ Charge ; my Journey into *France* was at my  
 ‘ Master’s Charge ; my Journey into the *Low*  
 ‘ *Countries* was all at my own Charge.

‘ I am accused, by common Fame, to be the  
 ‘ Cause of the Loss of the Narrow Seas, and the  
 ‘ Damage there sustained. What I can say, is  
 ‘ this, since the War begun with *Spain*, I have al-  
 ‘ ways had twelve Ships on the Coasts, and Allow-  
 ‘ ance but for four ; the rest my own Care sup-  
 ‘ plied. And, for the Office of Admiral, when I  
 ‘ came first to it, I found the Navy weak, not  
 ‘ neglected by my noble Predecessor (for I cannot  
 ‘ speak of him but with Honour ; and I shall de-  
 ‘ sire to go to my Grave with the Honour he car-  
 ‘ ried hence) but the not paying of Monies in Time,  
 ‘ there were such Defects his Care could not pre-  
 ‘ vent ; that, if the War had then broken out,  
 ‘ there would have been found but few Ships, and  
 ‘ those unserviceable. I was first prevail’d on to  
 ‘ take this Office by Persuasion of Sir *Robert*  
 ‘ *Mansel* ; and, though I objected I was young,  
 ‘ and unexperienced, yet he said, that, by my Fa-

‘ your

• your with my Master, I might do more Good in An. 2. Charles I.  
• procuring Payment for that Charge; and, be- 1616.  
• cause I was young and unexperienced, I took  
• Advice, as I do in all Things, and am not a-  
• shamed of it. I have desired my Master to grant  
• a Commission as it were over me. I have found  
• a great Debt, the Ships defective, and few in  
• Number; the yearly Charge of 54,000l. which  
• was brought to 30,000l. *per Annum*; we built  
• every Year two Ships; and when so many were  
• built as were requisite, we brought it to 22,000l.  
• *per Annum*, which comes not into my Hands,  
• but goes into its proper Streams, and issues from  
• the Officers to that Purpose deputed.

• Now if any can shew me a Project, how to  
• maintain a War against Spain, Flanders, and the  
• Turkish Pirates with less Charge, he will do a  
• great Work, and good Service. I have had  
• sometimes twenty, sometimes thirty Ships, tho'  
• sometimes disastered by Tempest, which dis-  
• persed the Hollanders Ships, and caused them to  
• cut their Masts and forsake their Anchors.

• There are now twelve Ships victualled for two  
• Months; and, though many Reports have been,  
• that they do not do their Duty, yet I have ad-  
• vertised them thereof from Time to Time, and  
• find no such Fault in them.

• There are thirty Ships more at Plymouth, vic-  
• tualled for six Months, and ten more ready, so  
• soon as they may be victualled. I have been so  
• frugal of making use of the old Remains, that  
• there is no Need of Ammunition, or other Ne-  
• cessaries.

• Besides all these, there are twenty Ships to  
• come from the Low Countries; so you have  
• twelve, twenty, thirty, and ten more, which I  
• think you have not heard of.

• And therefore, if any have blamed me, I do  
• not blame him, but think he hath done well;  
• but when you know the Truth, and when all  
• this shall appear, I hope I shall stand right in  
• your Opinions.

• Gen-

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¶. 2. Charles I.  
1626. ‘ Gentlemen, it is no Time to pick Quarrels  
‘ one with another ; we have Enemies enough al-  
‘ ready, and therefore more necessary to be well  
‘ united at Home.  
‘ Follow not Examples, at least not ill Examp-  
‘ amples of *Gondomor* and *Ynojosa*, who would have  
‘ had my Head, when you thought me worthy of  
‘ a Salute. Now, though I confess there may be  
‘ some Errors, I will not justify myself ; yet they  
‘ are not such gross Defects as the World would  
‘ make them appear. I desire they may be ad-  
‘ mitted *cum Nota*.  
‘ They are no Errors of Wilfulness, nor of  
‘ Corruption, nor oppressing of the People, nor  
‘ Injustice, but contrary ; and then may I say, for  
‘ what Good done by me do I suffer ?  
‘ And now I might answer more Particulars,  
‘ but I have been long, and so will forbear ; and  
‘ will conclude, if your Supply answer not your  
‘ Promises and Engagements to my Master, you  
‘ will make this Place, which hath been in Peace  
‘ when others were in War, the Seat of War  
‘ when others are in Peace.  
‘ Now Gentlemen, you that were antient Par-  
‘ liament-Men when this Counsel was first given,  
‘ strive to make good your own Engagement, for  
‘ the Honour of your King, and your own Safety.  
‘ Let Religion, in which I would be glad to be  
‘ more watchful and industrious than any, unite  
‘ your Hearts both at home and abroad ; and you  
‘ that are young Men, may in these active Times  
‘ gain Honour and Reputation, which is almost  
‘ funk, and gain the antient Glory of your Pre-  
‘ deceffors : And, remember, it is for restoring to  
‘ her Inheritance, the most virtuous Lady, I think,  
‘ in the World.  
‘ I have nothing more, but to intreat your cha-  
‘ ritable Opinion of me and my Actions.’

For the further vindicating of the Duke, the  
Lord Conway stood up and said,

‘ That

THAT whereas divers Jealousies have been raised in the House, that the Monies have been expended unusefully, and without Council; himself who was the only Secretary, and had the Hand in guiding the Business, could best give an Account of it.

When King *James*, of glorious Memory, at the Request of both Houses, had broken both the Treaties, he considered how to maintain the War; for he saw that the King of *Spain* was awaked, and that the *Palatinate* must be got by the Sword, and that *Spain* would oppose it with all the Power they could; and computing the Charges, found the Subsidies granted too short; for that it could not be done without an Army of 25,000 Foot, and 5000 Horse, which would amount to 600,000 l. for the Armies yearly, and 300,000 l. for the Navy; but, finding all his Means short, and as the Proverb is, *Not knowing of what Wood to make his Arrows to hit the Mark withall*, Count *Mansfield* stirred up by his own Judgment, came over and made Overture, That for 20,000 l. a Month he would raise an Army of 30,000 Men, and draw in the *French* King, *Denmark*, *Sweden*, *Venice*, *Savoy*, the Cantons of the *Switzers*, and, perhaps, some other German Princes, and raise a War in *Alsacia*, of great Consequence to make a Diversion.

Now about this Time the Council of *Austria* resolved to call a Diet, and exclude the Count *Palatine*, and put in a Popish Elector; and, for that End, offered a general Peace in *Germany*, and so left not a Crevice to look into for Assistance; but if any of them should aid the Count *Palatine*, he should be out of the Peace.

The King accepts *Mansfield's* Offer, conditionally, that he drew in the *French* King: So *Mansfield* went over into *France*; and the King, by Advice of his Council, sent Ambassadors into *France*, *Denmark*, *Venice*, *Savoy*, and Cantons of the *Switzers*, from whom he received cold Answers; for King *James* had stood so long on Terms

An. 2. Charles I.

1626.

*Lord Conway's Vindication of**the Duke.*

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An. 2. Charles I.  
1626.

• Terms of Peace, as they doubted he would not  
• be brought to enter into a War. But Count Mans-  
• field procured the King of *France* to contract or  
• receive our Troops, with Promise to en'ter into  
• the War, upon Condition it might be regulated  
• by the Council of the *French* King and *England*.  
• This Favour to Count Mansfield, That *France*  
• agreed that his Armies sh. al i jo: with the King's  
• Troops, wrought the Princes of *Germany* to be-  
• lieve, that the King would enter into a War.  
• Thereupon the Imperialists left their Diet, and  
• sent Tilly to *Friesland*; and to take up the River  
• of *Embaen*; which, if he had obtained, they  
• would have trampled the *Low Countries* under  
• foot, and would have become Governors of the  
• Sea.

• Upon this the King of *Denmark* sent to our  
• King, and offered to raise an Army of 30,000  
• Men, if our King would allow 30,000 l. a  
• Month, and said, He would admit no Time of  
• Respite; for if Tilly had not been presently met  
• and headed, all had been lost. Whereupon our  
• King called a Council, and appointed Commiss-  
• sioners; and from that Time all the Warrants  
• for the issuing of the Monies, were all under the  
• King's own Hand to the Council of War, and  
• from them to the Treasurers, and the Warrants  
• were from the Lords of the Council for the le-  
• vying of Men, and for Coats and Condu&t-Mo-  
• ney. A List whereof is hereunder specified.

• Thereupon the Duke asked the Question,  
• Whether any Thing was done by single Coun-  
• sel?

To which the Lord Conway answered, 'No:  
• For the Treaty of *Denmark*, Project of Count  
• Mansfield's, Treaties with *France*, and the Busi-  
• ness of the Navy, were done all by the King  
• himself; and who can say it was done by single  
• Council, when King James commanded it,  
• whose Council every Man ought to reverence,  
• especially in Matters of War, whereunto that  
• King was not hasty?

The

# Of E N G L A N D. 463

*The Total of Monies paid by Warrants of the An. 2. Charles I.  
Treasurers of the Subsidy Money.*

	l. s. d.
<b>I</b> N Toto for the four Regiments of the Low-Countries, from the 13th of June, 1624. till the 21st of July, 1624.	99878 0 6
For the Navy, from the 13th of July, 1624. till the 23d of December.	37530 8 4
For the Office of the Ordnance and Forts in England, from the 20th of July, 1624. till the 15th of June, 1625.	47126 5 5
To defray Charges for Forts in Ireland, about October, 1624.	32295 18 4
For the Service under Count Mansfield; for Provision of Arms, transporting of Soldi- ers, from the 4th of October, 1624, till the 10th of Decem- ber, 1624.	61666 13 4
<hr/>	
Sum Total	278497 5 11

• **M**Emorandum, That over and above the se-  
veral Services before specified, and the se-  
veral Sums issued, and to be issued by our War-  
rants for the same, we did long since resolve and  
order accordingly, that out of the Monies of the  
second and third Subsidies, these further Services  
should be performed, and Monies issued accor-  
dingly, viz,

• In full of the Supply of all the Forts and  
Castles before-mentioned (surveyed per Sir Ri-  
chard Morison, Sir John Ogle, Sir John Kaze, in  
September, 1623.) with all Sorts of Munitions,  
according to several Proportions and Warrants  
for the same —————— 4973 l.

• In full for the Reparations of all the said  
Forts and Castles according to the said Sur-  
vey —————— 10650 l. 6 s. 8 d.

• But

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An. 2. Charles I.  
1626.     ‘ But the said Subsidies being not like to afford  
Means to perform these so necessary Works: We  
humbly commend the Supply of what shall be  
wanting for the same unto your Majesty’s prince-  
ly Consideration.’

After a Report was made to the Commons of this Conference, by Members appointed for that Purpose, the House went upon framing a Remonstrance to the King, by way of Answer to his and the Lord Keeper’s Speeches. This being perfected, and approved on by the House, it was presented to his Majesty, April the 5th, by a select Committee, and was as follows:

The Commons  
Answer to the  
King’s and the  
Lord Keeper’s  
Speeches.

*Most gracious Sovereign,*

WHereas your Majesty hath been pleased of late, at sundry Times, and by several Means, to impart unto us your Royal Pleasure, touching some Passages and Proceedings in this present Parliament: We do first, with unspeakable Joy and Comfort, acknowledge your Majesty’s Grace and Favour, in that it hath pleased you to cause it to be delivered unto us by the Lord Keeper of your Great Seal, in your own Royal Presence, and before both Houses of Parliament, That never King was more loving to his People, nor better affected to the right Use of Parliaments; withall professing your most gracious Resolution to hear and redress our just Grievances. And, with like Comfort, we acknowledge your Majesty’s Goodness shining at the very Entrance of your glorious Reign, in commanding the Execution of the Laws established to preserve the true Religion of Almighty God, in whose Service consisteth the Happiness of all Kings and Kingdoms.

Yet let it not displease your Majesty, that we also express some Sense of just Grief, intermixed with that great Joy, to see the careful Proceedings of our sincere Intentions so mis-reported, as

‘ to

## Of E N G L A N D. 465

‘ to have wrought Effects unexpected, and, we An. 2, Charles I,  
1626.  
‘ hope, undeserved.

‘ First, touching the Charge against us in the  
‘ Matter concerning Mr. Coke: We all sincerely  
‘ protest, That neither the Words mentioned in  
‘ your Majesty's Message, nor any other of sedi-  
‘ tious Effect, were spoken by him, as hath been  
‘ resolved by the House, without one negative  
‘ Voice. Howsoever, in a Speech occasionally  
‘ uttered, he did let fall some few Words which  
‘ might admit an ill Construction; whereat the  
‘ House being displeased at the Delivery of them,  
‘ as was expressed by a general and instant Check,  
‘ he forthwith so explain'd himself and his Inten-  
‘ tion, that, for the present, we did forbear to take  
‘ them into Consideration, which since we have  
‘ done: And the Effect thereof had before this ap-  
‘ peared, if, by importunate Business of your Ma-  
‘ jesty's Service, we had not been interrupted.

‘ The like Interruption did also befall us in the  
‘ Case of Dr. Turner; wherein the Question  
‘ being formally stated, a Resolution was ordered  
‘ to have been taken that very Day, on which we  
‘ received your Majesty's Command to attend  
‘ you.

‘ But for our own Proceedings, we humbly be-  
‘ seech your Majesty to be truly informed, that  
‘ before that Overture from Dr. Turner, (out of  
‘ our great and necessary Care for your Honour  
‘ and Welfare of your Realm) we had taken into  
‘ serious Consideration the Evils which now afflict  
‘ your People, and the Causis of them, that we  
‘ might apply ourselves unto the fittest Remedies:  
‘ In the Pursuit whereof, our Committees (what-  
‘ soever they might have done) have in no Parti-  
‘ cular proceeded otherwise, than either upon  
‘ Ground of Knowledge in themselves, or Proof  
‘ by Examination of Witnesses, or other Evidence.  
‘ In which Course of Service for the Publick  
‘ Good, as we have not swerved from the Parlia-  
‘ mentary Ways of our Predecessors, so we con-  
‘ ceive that the Discovery and Re-forming of Er-  
‘ rors

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An. a. Charles I. 366. tors, is so far from laying an Aspersion upon the present Time and Government, that it is rather a great Honour and Happiness to both, yielding Matter to great Princes, wherein to exercise and illustrate their noblest Virtues.

‘ And although the grievous Complaints of the Merchants from all Parts, together with the common Service of the Subjects well affected to those who profess our Religion, gave us Occasion to debate some Businesses that were partly foreign, and had relation to Affairs of State ; yet we beseech your Majesty to rest assured, it was exceeding far from our Intention, either to traduce your Counsellors, or disadvantage your Negotiations.

‘ And tho’ some Examples of great and potent Ministers or Princes, heretofore questioned in Parliament, have been alledged ; yet was it without parallelling your Majesty’s Government, or Councils, to any Times at all, much less to Times of Exception.

‘ Touching the Letter of your Majesty’s Secretary ; it was first alledged by your Advocate for his own Justification, and after, by Direction of the Committee, produced to make good his Allegation.

‘ And for the Search of the Signet-Office ; the Copy of a Letter being divulged, as in your Majesty’s Name, with pregnant Cause of Suspicion, both in the Body and Direction thereof, to be supposititious ; the Committee, out of Desire to be cleared therein, did, by their Order, send some of themselves to the Signet-Office, to search whether there were any Records or Letters of that Nature, without Warrant to the Officer for any, much less for a general Search.

‘ But touching publick Records, we have not forborn, as often as our Businesses have required, to make Search into them, wherein we have done nothing unwarranted by the Laws of your Realm and the constant Usage of Parliaments.

‘ And if, for the Ease of their Labours, any of our Com-

• Committees have desired the Help of the Officers An. 2. Chari. I.  
• Repertories, or Breviats of Direction, we con- 1626.  
• ceive it is no more than any Subject, in his own  
• Affairs, might have obtained for ordinary Fees.

• Now, concerning your Majesty's Servants, and,  
• namely, the Duke of Buckingham; we humbly  
• beseech your Majesty to be informed by us your  
• faithful Commons, who can have no private End  
• but your Majesty's Service, and the Good of  
• our Country, That it hath been the antient,  
• constant, and undoubted Right and Usage of Par-  
• liaments to question and complain of all Persons,  
• of what Degree foever, found grievous to the  
• Common-Wealth, in abusing the Power and  
• Trust committed to them by their Sovereign.  
• A Course approved not only by the Examples in  
• your Father's Days, of famous Memory, but by  
• frequent Precedents in the best, and most glori-  
• ous Reigns of your noble Progenitors, appearing  
• both in Records and Histories; without which  
• Liberty in Parliament, no private Man, no Ser-  
• vant to a King, perhaps, no Counsellor, with-  
• out exposing himself to the Hazard of great En-  
• mity and Prejudice, can be a Means to call great  
• Officers into question for their Misdemeanors; but  
• the Common-Wealth might languish under their  
• Pressures without Redress: And whatsoever we  
• shall do accordingly in this Parliament, we doubt  
• not but it shall redound to the Honour of the  
• Crown, and Welfare of your Subjects.

• Lastly, We most humbly beseech your Maj-  
• esty graciously to conceive, that though it hath  
• been the long Custom of Parliaments to handle  
• the Matter of Supply with the last of their Bu-  
• sinesses; yet, at this Time, out of extraordinary  
• Respect to your Person, and Care of your Af-  
• fairs, we have taken the same into more speedy  
• Consideration; and most happily, on the very Day  
• of your Majesty's Inauguration, with great Al-  
• acrity and unanimous Consent, after a short De-  
• bate, we grew to the Resolution for a present  
• Supply well known to your Majesty.

## 468 The Parliamentary HISTORY

Anno. Charles I.  
1626.

' To which, if Addition may be made of other great Things for your Service, yet in Consultation amongst us, we doubt not but it will appear, That we have not receded from the Truth of our first Intention, so to supply you, as may make you safe at home, and feared abroad ; especially if your Majesty shall be pleased to look upon the Way intended in our Promise, as well as to the Measure of the Gift agreed.

' With the like Humility we beseech your Majesty not to give Ear to the officious Reports of private Persons for their own Ends, which hath occasioned so much Loss of Time ; nor to judge our Proceedings whilst they are in Agitation, but to be pleased to expect the Issue and Conclusion of our Labours ; which, we are confident, will manifest and justify to your Majesty the Sincerity and Loyalty of our Hearts, who shall ever place in a high Degree of Happiness the performing of that Duty and Service in Parliament, which may most tend to your Majesty's Honour and the Good of your Kingdom.'

The Commons  
adjourn by the  
King's Desire.

After this Remonstrance was read to the King by Secretary *Cook*, his Majesty said to the Committee, ' That he would not then give Answer to it ; but expected and desired that the Commons would adjourn, as the Lords had done, until the 13th of the same Month ; and that then they would repair the Time they had hitherto lost.' On the Report of this to the House, a Debate arose, and the Question being twice put, Whether to adjourn, or No ? it was carried in the Affirmative, on a Division 150 against 120 ; and the House adjourned itself to Thursday in Easter Week : The Party, in the Opposition to this, seeming as if they had intended to sit thro' the Holidays.

During this short Recess, we shall look back into some Proceedings of the Lords this Session ; in order to pave the Way for a full Explanation of what was to be done against the Duke of *Buckingham*, at the next Meeting of the Parliament.

Then

There is nothing material entered in their *Journals* this Session, till *March 6.* when the House was put in mind, that they had now sat a Month, and yet not considered of the State of the Nation, as it then stood with a great and potent Enemy, the *Spaniard* exasperated, and preparing great Forces for an Invasion: Therefore their Lordships were moved to appoint a Committee, to consider of the State of the Realm, in general; and, in particular, of the Safeguard of the Seas; the Stores of the Realm; Munition and Arms, and all Things incident thereto; and of fortifying the Forts. A Committee was appointed accordingly.

An. 2. Charles I.  
1626.

The Lords consider the State of the Realm;

The next Day the Lord Keeper signified to the House, 'That his Majesty took special Notice of that Committee, and, with great Approbation thereof, commanded him to give their Lordships very hearty Thanks for their Zeal therein, to his Honour and the Safeguard of the Realm; and desired them to proceed in it with all Speed and Alacrity.' For which the King gives them

The same Day a Report was made from this Committee, 'That the Master of the Ordnance had acquainted them with the great Want of Gun-Powder in the Stores; which their Lordships thought fit to be provided.'

Also, 'That the said Committee thought proper that the following Particulars be offered to the Consideration of the House of Commons: 1. That a Fleet be presently set out against the King of Spain, to annoy him and prevent an Invasion of this Kingdom. 2. That another Fleet be set out to defend our own Coasts, and the Merchants from Pirates. 3. The Maintenance of the Armies under the King of Denmark and Count Mansfield. Lastly, To acquaint the Commons with the present State of this Kingdom and the Confederates thereof.'

Upon this Report the House resolved upon a Conference with the Commons; and a select Committee of each House, consisting of forty Lords and a proper Number of the Commons, was appointed to meet at Three that Afternoon.

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¶. 2. Charles I. 1626. The Archbishop of *Canterbury*, the Duke of *Buckingham*, the Lord Chamberlain, and the Earl of *Carlisle*, were ordered to manage the said Conference. The Houses sat that Afternoon, and the Lords Committees, being returned from the Conference, reported, ‘ That they had fully related to the Commons the Cause of that Meeting ; and that they had promised to deliver the same to their House.’

A Conference  
with the Com-  
mons on the  
State of Affairs  
abroad.

There is nothing further said of this Conference in the *Journals of the Lords*; and, in those of the Commons, the Report made of it, by Mr. *Pymme*, and Sir *Nathaniel Rich*, is left short as to any thing more, than that the Lord Archbishop of *Canterbury*, and the Lord Chamberlain spoke both on the Occasion. We are beholden to Mr. *Rushworth* for the Heads of a Speech made by *William Earl of Pembroke*, then Lord Great Chamberlain of England, to a Committee of the Commons at this Conference.

This noble Lord represented the State of *Christendom* to them, how it stood before the Breach of the Treaties with *Spain*, and how since ; he said, ‘ That the Condition of the *Palatinate* was nothing bettered ; that Count *Mansfield*’s Army was raised, in order to make a Diversion of the Catholic League in *Germany* ; that the King of *Denmark* had th reupon engaged himself to stand or fall in this Quarrel, provided Supplies might be had from hence ; that the *Swedes* were forward in it ; and that his Majesty had made a strict Alliance with the *Hollanders*, upon these Terms, That they should bear a fourth Part of the Expence of our Navy, and only have a fourth Part of the Spoils ; the Lands and Cities conquered to be the King’s. *Lastly* That the Fruits of all these rich Advantage woul. be lost, if a speedy Assistance was not resolved on.’

After the Report of this Conference was made to the Commons, it was moved to consider what Answer was fit to be given to the Lords, and then to go on with the Business before them. Otheris moveo to go

go on, as before, and give no Answer at all to them. An. 2. Charles I.  
On this, the Question being put, Whether to answer or Not? the House divided, and it was carried in the Affirmative 226 against 166; and a Committee was appointed to consider of and draw up an Answer to that Purpose. But we cannot find, by either *Journals*, that ever any Answer was returned to the Lord's about this Business; the Commons seeming more intent on redressing Grievances at home, than troubling themselves about Affairs abroad.

The Lords, notwithstanding, went on with their Committee for the Defence of the Realm, &c. and, on the 24th of March, the Lord Treasurer, reported to the House, That the said Committee had made several Agreements with Merchants for importing and making of Salt-Petre and Gun-Powder; also, with the Armourers and Gun-Makers, in and about London, for providing a sufficient Quantity of those warlike Stores.—But their Care in these Things was soon interrupted by Affairs of a different Nature, which took up all the Attention of the House of Lords.

Digby Earl of Bristol, so much concerned in the late Negotiations in Spain, about the Match, &c. The Case of Digby Earl of Bristol. on his Return from thence, had been committed Prisoner to the Tower. This Earl had been also examined by a Committee of Lords, appointed by the King, touching those Affairs; and certain Propositions were made to him in order to his Release, and composing the Differences between the Duke and him. On his Refusal, in some Measure, to comply with the Terms, the Lord Conway, Secretary of State, wrote to him the following Letter, and received his Answer to it.

THE LORD CONWAY, to the EARL OF BRISTOL.

My Lord,

I Received a Letter from your Lordship, dated the 4th of this Month, written in Answer to a former Letter which I directed to your Lordship, by his to him; The Secretary of State's Letter

Ma-

An. 2. Charles I. Majesty's Commandment. This last Letter, according to my Duty, I have shewed unto his Majesty, who hath perused it, and hath commanded me to write back to you again, that he finds himself nothing satisfied therewith. The Question propounded to your Lordship, from his Majesty, was plain and clear, Whether you did rather chuse to sit still without being questioned for any Errors pass'd in your Negotiations in Spain, and enjoy the Benefit of the late gracious Pardon granted in Parliament, whereof you may have the Benefit: Or whether, for the clearing of your Innocency, (whereof yourself, and your Friends and Followers, are so confident) you will be content to waive the Advantage of that Pardon, and put yourself into a legal Way of Examination for the Trial thereof. His Majesty's Purpose thereby, is not to prevent you of any Favours the Law hath given you; but if your Assurance be such as your Words and Letters import, he conceives it stands not with that public and resolute Profession of your Integrity to decline your Trial. His Majesty leaves the Choice to yourself, and requires from you a direct Answer, without Circumlocution or Bargaining with him for future Favours before hand; but if you have a Desire to make use of that Pardon which cannot be denied you, nor is any way desired to be taken from you, his Majesty expects you should at the least forbear to magnify your Service, and, out of an Opinion of your Innocency, cast an Aspersion upon his Majesty's Justice, in not affording you that present Fulness of Liberty and Favour which cannot be drawn from him, but in his good Time, and according to his good Pleasure.

Thus much I have in Commandment to write to your Lordship, and to require your Answer clearly and plainly by this Messenger, sent on purpose for it, and so remain,

Your Lordship's

Whitehall, March 24.  
1626.

Humble Servant,

CONWAY.

The

The EARL of BRISTOL to the LORD CONWAY. An. 2. Charles I.  
1626.

My Lord,

I Have received your Letter of the 24th of March, The Earl's Answer the 28th, and I am infinitely grieved to understand, that my former Answer to yours of the 4th of March hath not satisfied his Majesty, which I will endeavour to do to the best of my Understanding; and, to that End, shall answer to the particular Points of your present Letter, with the greatest Clearness I am able.

First, Whereas you say in your Letter, That the Question propounded to me was plain and clear, viz.

Whether I would chuse to sit still without being questioned for any Errors pass'd in my Negotiations in Spain, and enjoy the Benefit of the late gracious Pardon, whereof I may take the Benefit? Or whether, being content to ware the Advantage of that Pardon, I should put myself into a legal Way of Examination for the Trial thereof? &c.

First, Your Lordship may be pleased to remember your last Proposition was, Whether I desired to rest in the Security I was in? which you now express, Whether I will chuse to sit still?

Secondly, Your Proposition was, Whether I would acknowledge the gracious Favour of his Majesty that now is, who had been pleased not to question my Actions? When it is best known to your Lordship, That, by a Commission of the Lords, I was questioned upon twenty Articles, divers involving Felony and Treason: Altho' it be true, That when I had so answered (as I am confident their Lordships would have cleared me) I was so unhappy as their Lordships never met more about that Business.

But now your Proposition is, Whether I will now chuse to sit still without being further questioned for Errors pass'd? Whereas before it was required I should acknowledge that I have not been questioned at all; which is a different Thing. But conferring both your Letters together, and gathering the Sense and Meaning, by making the latter an Explanation of the former,

An. 2. Charles I. mer, which I could have wished your Lordship would  
1626. have more clearly explained, I return unto your Lord-  
ship this plain and direct Answer.

That I understand, by the Security I am in, and sit-  
ting still, and not being further questioned that I am  
restored to the bare Freedom and Liberty of a Subject  
and Peer: For if a Man be called in question by his Ma-  
jesty, yet afterwards his Majesty shall be pleased, out of  
his Goodness, that he rest quiet and secure, and that  
he shall not be further questioned; I conceive that it  
is not apparent that his Liberty naturally revolveth  
unto him, when by his Majesty's Grace he is pleased  
to declare he shall not be further questioned, but may  
live in further Security. So that, understanding your  
Letter in this sort, (for no direct Answer can be made,  
untill the Sense of the Question be truly stated) I do  
most humbly acknowledge and accept his Majesty's  
Grace and Favour, and shall not wave any thing that  
shall come to me by the Pardon of the 21. Jacobi Regis,  
nor by the Pardon of his Majesty's Coronation.  
And am so far from Bargaining, as you are pleased  
to express it, for future Favour (though I hope my  
humble and submissive Courses of petitioning his Ma-  
jesty, neither hath nor shall deserve so hard an Ex-  
pression) that I shall not presume so much as to press  
for any Favour, untill my dutiful and loyal Beha-  
viour may move his Majesty's Royal and Gracious  
Heart thereunto; but receive, with all Humbleness,  
this my Freedom and Liberty, the which I shall only  
make use of in such sort, as I shall judge may be most  
agreeable to his Majesty's Pleasure.

As for the second Part of your Letter, wherein  
you say, That if I desire to make use of that Pardon,  
his Majesty expects that I should at least forbear to  
magnify my Services; or, out of an Opinion of my own  
Innocency, asf an Aspersion upon his Majesty's Justice:  
To this Point I answer, That as I hope I shall never  
err in that sort of Immodesty, of valuing my Services,  
which I acknowledge to have been accompanied with  
infinite Weakness and Difabilities; so I trust it shall  
not displease, that I make use, to mine own Comfort,  
and

and the Honour of my Posterity, of those many written Testimonies, which my late most Blessed Master hath left me, of his gracious Acceptance of my Services for the Space of twenty Years: And likewise I hope the modest avowing of mine Innocency will not be thought to cast any Aspersion upon his Majesty's Honour or Justice. I must freely confess unto your Lordship, I am much afflicted to see Inferences of this Nature made, both in your Lordship's last Letter and in this. For if it shall be inferred, as a Thing reflecting upon the King's Honour, that a Man questioned shall not endeavour to defend his own Innocency before he be convicted, it will be impossible for any Man to be safe; for the Honour of his Majesty is too sacred a Thing for any Subject, how innocent soever, to contest against. So likewise, God forbid that it should be brought into Consequences, (as in your former Letter) as a Tax upon the Government and Justice of his late Majesty, and Majesty that now is, that I should have suffered so long Time, not being guilty. For as I never have been heard so much as to repine of Injustice in their Majesties, in all my Sufferings, so I well know, that the long Continuance of my Troubles may well be attributed unto other Causes; as to my own Errors of Passion, or other Accidents: For your Lordship may well remember, that my Affairs were, almost two Years since, upon the Point of a happy Accommodation, had it not been interrupted by the unfortunate mistaking of the Speeches I used to Mr. Clark.

I shall conclude by intreating your Lordship's Favour, that I may understand from you, as I hope for my Comfort, that this Letter hath given his Majesty Satisfaction; or if there should yet remain any Scruple, that I may have a clear and plain Signification of the King's Pleasure; which I shall obey with all Humility.

Your Lordship's humble Servant,

BRISTOL.

After

An. a. Charles I.  
1626.

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An. 1. Charles I.  
1625.

He petitions the  
Lords for his  
Writ of Sum-  
mons.

After this the Earl petitioned the House of Lords, and shewed, ‘ That he, being a Peer of this Realm, had not received a Summons to Parliament, and desired their Lordships to mediate with the King, that he might enjoy the Liberty of a Subject and the Privilege of his Peerage, after almost two Years Restraint without being brought to a Trial : And, if any Charge was brought against him, he prayed that he might be tried by Parliament.’

Upon the Receipt of this Petition, the Lords referred it to the Committee of Privileges ; from whom the Earl of *Hertford* reported, ‘ That it was necessary for their Lordships humbly to beseech his Majesty to send a Writ of Summons to the Earl of *Bristol* ; as also to such other Lords whose Writs are stopped, except such as are made incapable to sit there by Judgment of Parliament, or some other legal Course.’

Hereupon the Duke of *Buckingham* signified to the House, That, upon the Earl’s Petition to the King, his Majesty had sent him his Writ of Summons ; and, withall, shewed the Lords a Copy of a Letter, wrote from the King to the said Earl, dated Jan. 28, 1625, the Tenor of which followeth :

The King’s Let-  
ter to the Earl of  
*Bristol*.

WE have read your Letter addressed unto us by *Buckingham*, and cannot but wonder that you should, thro’ Forgetfulness, make Request to us of Favour, as if you stood evenly capable of it, when you know what your Behaviour in Spain deserved of us, which you are to examine by the Observations we made, and know you well remember ; how, at our first coming into Spain, taking upon you to be so wise, as to foresee our Intention to change our Religion, you were so far from dissuading us, that you offered your Advice and Secrecy to concur in it ; and, in many other Conferences, pressing to shew how convenient it was to be a Roman Catholic, it being impossible, in your Opinion, to do any great Action otherwise ; and how much Wrong, Disadvantage, and Difservice you did to the Treaty, and to the Right and Interest of our dear Brother and Sister, and their Children ; what Disadvantage,

*advantage, Inconvenience, and Hazard you intangled us in by your Artifices, putting off and delaying our Return home; the great Estimation you made of that State, and the low Price you set this Kingdom at; still maintaining, that we, under colour of Friendship to Spain, did what was in our Power against them, which they said you very well knew: And, last of all, your approving of those Conditions, that our Nephew should be brought up in the Emperor's Court; to which Sir Walter Aston then said, That he durst not give his Consent for Fear of his Head: Your replying unto him, That without some such great Action, neither Marriage nor Peace could be had.*

There is no Answer to this Letter in the *Journals*; but, instead of it, we find another Petition from the Earl, addressed to the Lords, on his receiving his Writ of Summons; to which he annexed the Lord Keeper's Letter and his Answer, and desired to be heard in Accusation of the Duke.

*The HUMBLE PETITION of JOHN EARL  
of BRISTOL.*

*Humbly shewing unto your Lordships,*

• **T**HAT he hath lately received his Writ of Summons to Parliament, for which he returned unto your Lordships most humble Thanks; but, jointly with it, a Letter from my Lord Keeper, commanding him, in his Majesty's Name, to forbear his personal Attendance; and altho' he shall ever obey the least Intimation of his Majesty's Pleasure, yet he most humbly offereth unto your Lordships wise Considerations, as too high a Point for him, how far this may trench upon the Liberty and Safety of the Peers, and the Authority of their Letters Patents, to be in this Sort discharged by a Letter Missive of any Subject, without the King's Hand; and, for your Lordships due Information, he hath annexed a Copy of the said Lord Keeper's Letter, and his Answer therunto.

• He

1626.

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An. 2. Charles I.  
1626.

' He further humbly petitioneth your Lordships,  
' That having been, for the Space of two Years,  
' highly wronged in point of his Liberty and of his  
' Honour, by many sinister Aspersions which have  
' been cast upon him, without being permitted to  
' answer for himself ; which hath been done by the  
' Power and Industry of the Duke of *Buckingham*,  
' to keep him from the Presence of his Majesty  
' and the Parliament, lest he should discover many  
' Crimes concerning the said Duke :  
' He therefore most humbly beseecheth, That  
' he may be heard, both in the point of his Wrong,  
' and of his Accusation of the said Duke : Where-  
' in he will make it appear, how infinitely the said  
' Duke hath abused their Majesties, the State, and  
' both the Houses of Parliament. And this, he is  
' most confident, will not be denied, since the Court  
' of Parliament never refuseth to hear the poorest  
' Subject seeking for Redress of Wrongs, nor the  
' Accusation against any, be he never so powerful.  
' And herein he beseecheth your Lordships to me-  
' diate to his Majesty, for your Suppliant's coming  
' to the House, in such Sort as you shall think  
' fitting ; assuring his Majesty, that all he shall  
' say, shall not only tend to the Service of his Ma-  
' jesty, and the State, but highly to the Honour of  
' his Majesty's Royal Person, and of his princely  
' Virtues : And your Suppliant shall ever pray for  
' your Lordships Prosperity.'

The LORD KEEPER to the Earl of BRISTOL.

Dorset-Court, March 31. 1626.

My very good Lord,

The Lord Keep-  
er, Coventry's,  
Letter to him on  
that Occasion.

BY his Majesty's Commandment, I herewith send  
unto your Lordship your Writ of Summons for  
the Parliament ; but withall signify his Majesty's  
Pleasure herein further, That howsoever he gives way  
to the awarding of the Writ, yet his Meaning is  
thereby not to discharge any former Directions for  
Restraint of your Lordship's coming hither ; but that

you

you continuall under the same Restriction as you did before; so as your Lordship's personal Attendance here is to be forborn. And herein I doubt not but your Lordship will readily give his Majesty Satisfaction: And so I commend my Service very heartily unto your Lordship, and remain,

An. 2. Charles I.  
1626.

Your Lordship's  
Assured Friend and Servant,  
THO. COVENTRY, C. S.

The Earl of BRISTOL's Answer to the LORD KEEPER.

May it please your Lordship,

I Have received your Lordship's Letter of the 31st And the Earl's; of March, and, with it, his Majesty's Writ of Answer. Summons for the Parliament. In the one his Majesty commandeth me, that, all Excuses set aside, upon my Faith and Allegiance I fail not to come and attend his Majesty; and this under the Great Seal of England. In the other, as in a Letter Missive, his Majesty's Pleasure is intimated by your Lordship, that my personal Attendance should be forborn. I must crave Leave ingenuously to confess unto your Lordship, that I want Judgment rightly to direct myself in this Case; as likewise, that I am ignorant how far this may trench upon the Privileges of the Peers of this Land, and upon mine and their Safety hereafter: For if the Writ be not obeyed, the Law calleth it a Mispriision, and highly fineable, whereof we have had late Examples; and a Missive Letter being avowed or not, it is to be doubted would not be adjudged a sufficient discharge against the Great Seal of England: On the other Side, if the Letter be not obeyed, a Peer may, de facto, be committed upon a Contempt in the interim, and the Question cleared afterwards; so that in this Case it is above mine Abilities. I can only answer your Lordship, that I will most exactly obey; and to the End I may understand which Obedience will be, in all Kinds, most suitable to my Duty, I will presently repair to my private Lodging at London, and there

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An. 2. Charles I.  
1626.

there remain, untill, in this and other Causes, I shall have petitioned his Majesty, and understand his further Pleasure. For the second Part of your Lordship's Letter, where your Lordship saith, That his Majesty's Meaning is not thereby to discharge any former Directions for Restraint of your Lordship's coming hither, but that you continue under the same Restriction as before; so that your Lordship's personal Attendance here is to be forbore. I conceive your Lordship intendeth this touching my coming to Parliament only; for as touching my coming to London, I never had at any Time one Word of Prohibition, or colourable Pretence of Restraint; but, on the contrary, having his late Majesty's express Leave to come to London to follow my Affairs, out of my Respect to his Majesty, then Prince, and to the Duke of Buckingham, I forbore to come, until I might know whether my coming would not be disagreeable unto them. Whereunto his Majesty was pleased to answer both under the Hand of the Duke, and of Mr. Secretary Conway, That he took my Respect unto him herein in very good Part, and would wish me to make Use of the Leave the King had given me. Since which Time I never received any Letter or Message of Restraint, only his Majesty, by his Letter, bearing Date in June last, commandeth me to remain as I was in the Time of the King his Father; which was with Liberty to come to London to follow my own Affairs as I pleased, as will appear unto your Lordship, if you will afford me so much Favour as to peruse it. I have writ thus much unto your Lordship, because I would not, thro' Misunderstanding, fall into Displeasure by my coming up, and to intreat your Lordship to inform his Majesty thereof: And that my Lord Conway, by whose Warrant I was only restrained in the late King's Time, of famous Memory, may produce any one Word, that may have such as any colourable Pretence of debarring my coming up to London. I beseech your Lordship to pardon my Desire to have Things clearly understood; for the Want of that formerly hath caused all my Troubles; and when any Thing is misinformed concerning me, I have little or

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no Means to clear it ; so that my chief Labour is to An. 2. Charles I.  
avoid Misunderstanding. I shall conclude with beseech- 1626.  
ing your Lordship to do me this Favour, To let his Ma-  
jesty understand, that my coming up is only rightly to  
understand his Pleasure, whereunto I shall, in all  
Things, most dutifullly and humbly conform myself.  
And so, with my humble Service to your Lordship, I  
recommend you to God's holy Protection, and remain,

Sherborn, April 12. Your Lordship's  
1626. Most humble Servant,  
B R I S T O L.

After the Reading of these, the Lord Keeper de-  
livered this Message from the King to the House of  
Lords.

\* That his Majesty hath heard of a Petition pre- The King's Mes-  
ferred unto this House by the Earl of Bristol, so sage to the House  
\* void of Duty and Respect to his Majesty, that of Lords, charg-  
\* he hath great Cause to punish him : That he hath ing the Earl of  
\* also heard with what Duty and Respectfulness to Bristol with se-  
\* his Majesty their Lordships have proceeded there- veral high Of-  
\* in, which his Majesty conceiveth to have been fenses.  
\* upon the Knowledge they have that he hath been  
\* restrained for Matters of State ; and his Majesty  
\* doth therefore give their Lordships Thanks for  
\* the same, and is resolved to put the Caule upon  
\* the Honour and Justice of their Lordships and  
\* this Houle. And thereupon his Majesty com-  
\* manded him (the Lord Keeper) to signify to their  
\* Lordships his Royal Pleasure, That the Earl of  
\* Bristol be sent for as a Delinquent, to answer in  
\* this House his Offences committed in his Nego-  
\* tiations before his Majesty's being in Spain, [his  
\* Offences wh<sup>t</sup> he was in Spain] (a) and his Offen-  
\* ces since his Majesty's coming from Spain ; his  
\* scandalizing the Duke of Buckingham immedi-  
\* ately, and his Majesty by Reflexion, with whose  
\* Privity, and by whole Directions, the Duke did guide  
\* his Actions, and without which he did nothing.  
\* All which his Majesty will cause to be charged  
\* against him before their Lordships in this House.'

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(a) Omitted in Rushworth.

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An. 2 Charles I.  
1626.

The Lords appointed a Committee to attend the King, and to present their humble Thanks to his Majesty, for the Trust and Confidence he had placed in the Honour and Justice of their House.

During the Recels of Parliament the Duke of Buckingham was taking great Pains to ward off the Blow intended against him by the Commons, in which the King was his principal Agent; but in vain, for that House was resolved to carry on the Prosecution against him. *Rushworth* informs us, ‘That it was intimated to the Duke, in a written Paper sent him, that he should get the King to signify to a certain Number of Lords, that he had endeavoured to divert the Charge against the Duke, because his Majesty had soon Knowledge and Experience of his Service and Fidelity; at the same Time to reveal some Mysteries of State to them, there mentioned, in which the Duke might seem culpable, but was not; and these were to be dictated to the King, for him to speak to the Lords.’— But since this private Intimation hath no other public Authority than the Collector’s to support it, we shall wave the Matter, and proceed to Things of more certain Proof.

April 13. The two Houses met again, pursuant to Adjournment. The first Matters of Moment the Commons went upon, was to order the Committee, appointed to prepare a Petition with the Names of *Recyclers*, &c. in Authority, to meet and proceed in that Business: Also the Report concerning Dr. Montagu’s Books, to be made to the House on the 17th Instant.

Nothing happening in the Interval, worth Notice, on the Day aforesaid Mr. Pymme reported the Business concerning the said Books, and the Opinion of the Committee on these three Cases:

Ref. in *the Commons* 1. ‘That Montagu had disturbed the Peace of the Church, contrary to the Doctrine thereof, published in Dr. Munday’s Book of Homilies, confirmed by Parliament.’

2. ‘That

2. 'That in these Books were divers Matters tending to Sedition, by setting the King against the People, and the People one against another.'

3. 'That the whole Scope of the Books were to discountenance the true Profession of Religion here established, and so to draw the People to *Papery*, and reconcile them to the Church of *Rome*.'

'That the Committee were fully of Opinion, *Montagu* stood convicted of all the three Heads of the Charge; and that, as a public Offender against the Peace of the Church, he should, by this House, be presented to the Lords, there to receive Punishment according to his Demerits.'

The further Debate and Resolution about this Affair was deferred to another Day, and the Committee were ordered to deliver their Opinions to the King. Which are presented to the King.  
 House what was best to be done, for preventing the Danger which may happen by other Books of this Kind. Some Days after it was agreed to petition his Majesty on this last Article, and the Answer returned was, 'That the King did not slight- His Majesty's ly pass over the Message; but questioned whe- Answer. ther that House had Power to examine the Doc-  
 trine, or no. He expressed his Dislike to Dr. *Montagu's* Writings, and said, he would refer the Doctrine in them to the Convocation-House; and would, for the future, take special Care for the Examination of all Books, which should be printed, for avoiding any Matter of Sedition, &c.'

But we shall leave this Affair for the present, to go upon much greater Matters, which engrossed the Attention of both Lords and Commons; and which will very properly begin our next Volume.

## TAXES during the Reigns of HENRY VIII. EDWARD VI. MARY, ELIZABETH, and JAMES I.

## HENRY VIII.

**I**N the first Year of this King's Reign, he had a Supply, by Parliament, of two Tenths and two Fifteenths.

In his second, two Tenths and two Fifteenths, with Tunnage and Poundage, for carrying on a War against France.

In his fourth, a Grant of two more Tenths and Fifteenths, besides a Poll-Tax, on account of an Invasion from the Scots.

In his sixth, Tunnage and Poundage was granted, and a Subsidy; but the Value of the latter uncertain.

During an Interval of Parliaments, from the seventh to the fourteenth Year of his Reign, divers arbitrary Means were made Use of for raising Money. And,

In the fourteenth he had also a Subsidy.

In his seventeenth Year, Commissioners were sent into every County, for levying the sixth Part of every Layman's Goods, and the fourth of the Clergy; but no Parliament was called till the twentieth; in which Year an Act passed to discharge him of certain Debts; which the Clergy, by another Act, were required to pay.

In his twenty-third Year, he had a Fifteenth, for the Defence of the Northern Borders: And,

In his twenty-sixth, a Subsidy of a Tenth and Fifteenth, besides a Grant of the first Fruits and Tenths of all spiritual Dignities, Benefices, &c.

In his thirty-second Year, he had a Subsidy of one Fifteenth and a Tenth, and 4 s. in the Pound from the Clergy.

In his thirty-fourth Year, a very large Subsidy, for a War with Scotland and France; and, in the next, he issued a Commission to raise Money by Benevolence.

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In his thirty-seventh, he had a *Subsidy* of 2 s. 8 d. in the Pound on Goods, 4 s. on Land, and 6 s. from the Clergy; besides the immense Sums that came into his Hands by the Suppression of Monasteries, Abbeys, Hospitals, &c.

### E D W A R D VI.

In the first Year of this Reign *Tunnage* and *Poundage* was granted for the King's Life; besides the Revenues arising from Suppression of Chauntries, &c.

In the next Year he had a Relief granted him out of Sheep, Cloths, Goods, Debts, &c. and 6 s. in the Pound from the Clergy.

In his third Year, so much as related to Sheep and Cloths were released: But the Relief for Goods continued. A *Subsidy* was also granted him of 1 s. in the Pound on Goods, and of every Alien 2 s.

In the seventh, and last Year of his Reign, he had a *Subsidy* of two *Tenths* and two *Fifteenths*. The Clergy also gave 6 s. in the Pound.

### M A R Y.

In her first Year she had *Tunnage* and *Poundage* for Life.

In her third Year she had a *Subsidy* from the Temporality, and 6 s. in the Pound from the Clergy.

In her sixth Year she had one *Subsidy* of 4 s. in the Pound on Lands, and 2 s. 8 d. on Goods; also 8 s. in the Pound from the Clergy, and one *Fifteenth* from the Laiety,

### E L I Z A B E T H.

In the first Year of this Queen's Reign she had a *Subsidy* of two *Fifteenths* and two *Tenths*; also *Tunnage* and *Poundage* was granted her for Life.

In her fifth Year she had a Supply of one *Subsidy*, two *Fifteenths* and two *Tenths*; besides a Grant of 6 s. in the Pound from the Provinces of Canterbury and York.

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In her eighth, one Fifteenth, one Tenth, and a Subsidy from the Temporality ; besides a Subsidy from the Clergy of 4 s. in the Pound.

In her thirteenth, she had a Grant of two Fifteenths and Tenths, and a Subsidy from the Temporality ; besides 6 s. in the Pound from the Clergy.

In her eighteenth, a Grant of a Subsidy, and of three Fifteenths and Tenths ; besides 6 s. in the Pound from the Clergy.

In her twenty-third another Grant of a Subsidy, and of two Fifteenths from the Temporality ; and 6 s. 8 d. in the Pound from the Clergy.

In her twenty-sixth, a Grant of one entire Subsidy ; which was (according to Stowe) 2 s. 8 d. on Goods, and 4 s. on Lands, and two Fifteenths from the Temporality : Also 6 s. in the Pound from the Clergy.

In the twenty-eighth, one Subsidy and two Fifteenths from the Temporality, and one Subsidy from the Clergy of 6 s. in the Pound ; besides which both Houses join'd in a Benevolence of 2 s. in the Pound.

In the thirtieth, an Act passed for granting four Fifteenths and two Subsidies from the Laiety : Also two Subsidies, of 6 s. in the Pound, from the Clergy, to be paid yearly at 2 s.

In her thirty-fourth, a Grant of three Subsidies, and six Fifteenths and Tenths, by the Temporality ; and two Subsidies, of 4 s. from the Clergy.

In the thirty-ninth, three entire Subsidies, and six Fifteenths and Tenths, from the Temporality ; and from the Clergy, three Subsidies of 4 s. in the Pound, to be paid at six several Payments.

In her forty-third, a Grant of four entire Subsidies, and eight Fifteenths and Tenths, from the Laiety ; and four Subsidies, of 4 s. in the Pound, from the Clergy.

### J A M E S I.

In his first Year he had Tunnage and Poundage for Life,

In

In his second Year there was an Act for assigning certain Sums of Money, for defraying the Charges of the King's Household.

In his third, *three entire Subsidies*, and *six Fifteenths*, from the Temporality; and *four Subsidies*, of 4 s. in the Pound, from the Clergy.

The eighth Year, *one entire Subsidy*, and *one Fifteenth*, from the Temporality; and 6 s. in the Pound from the Clergy.

In his tenth Year he had an *Aid* (according to ancient Custom) for the Marriage of his Daughter *Elizabeth* to *Frederick*, the Elector Palatine.

In his eighteenth, *two entire Subsidies* by the Temporality; also *three* from the Clergy: And,

In his twenty-second *three entire Subsidies*, with *three Fifteenths* and *Tenths*, were granted to be paid conditionally, *viz.* within one Year after the King's utter Dissolution of the two Treaties with Spain, *viz.* the *Marriage* and the *Palatinate*: And *four entire Subsidies* were also granted by the Spirituality.

*The PRICE of PROVISIONS and LABOUR during the foregoing Reigns (b); whereby the Reader may be able to form some kind of Judgment concerning the Value of the TAXES and SUBSIDIES.*

**I**N the Year 1510, Oats sold at 2 s. per Quarter, and Hay at 9 s. per Load.—In 1511, Oats 2 s. and Beans, 3 s. 4 d. per Quarter; Hay, 5 s. per Load.—In 1513, Oats, 2 s. 4 d. and Beans, 4 s.

In 1514, the Price of Wages of Workmen, and Servants by the Year, Day, &c. in Husbandry: A chief Hind, Carter, and Shepherd, each 1 l. per Ann. Cloathing, with Diet, 5 s. Common Servant of Husbandry, 16 s. 8 d. Cloathing, 4 s. Women Servants yearly Wages 10 s. Cloathing 4 s.—The Wages, by the Day, of a Workman, from *Easter* to *Michaelmas*: A Free Mason, at Diet, 4 d. without 6 d. A Master Carpenter, a rough Mason, a Tiler, a Plummer, a Bricklayer, a Glazier, a Carver, and a Joiner,

(b) We are obliged to Bp Fleetwood's *Chronicon Preciosum* for the most of these: The rest have been collected out of our old English Historians, Acts of Parliament, &c.

a Joiner, the same. From Michaelmas to Easter, with Diet, 3 d. without, 5 d.—A Shipwright's Wages, from Candlemas to Michaelmas: A Master Carpenter, with Diet, 5 d. without, 7 d. A Hewer, with, 4 d. without, 6 d. An able Clincher, with, 3 d. without, 5 d. An Holder, with, 2 d. without, 4 d. A Master Calker, with, 4 d. without, 6 d. A mean Calker, with, 3 d. without, 5 d. A Calker, labouring by the Tide, with, 4 d. without, 6 d. From Michaelmas to Candlemas, the Masters Wages diminished 1 d. and so in proportion the rest.—From Easter to Michaelmas, other Labourers had, *per Diem*, (except in Harvest) with Diet, 2 d. without, 4 d. From Michaelmas to Easter, ditto, with Diet, 1½ d. without 3 d.—In Harvest, a Mower, with Diet, 4 d. without, 6 d. A Reaper and a Carter, with, 3 d. without 5 d. A Woman Labourer, and other Labourers, with, 2½ d. without, 4½ d.

In the Years 1518 and 1519, the Conquest of Mexico was made by Hernando Cortes, a Spaniard, and the Foundation of the Kingdom of New Spain was laid. A great Quantity of Gold and Silver being imported into Europe from thence, Money became more plentiful, and Trade diffusing itself every where, there soon appeared more numerous Armies, greater Magnificence in Princes Courts, the Dowries of Princesses much enlarged, and the Price of Provisions enhanced. Spain was the first Nation that aggrandized itself by it; and it was this vast Treasure that occasioned Charles V. and Philip II. to aspire to universal Monarchy (c).

In 1521 was a Dearth; Wheat sold for 1 l. *per Quarter*.—In 1526, Oats, 3 s. and Beans, 4 s. 2 d.—In 1530, Oats, 4 s. Beans, 5 s. 4 d. And in 1532, Oats, 3 s. 10 d. Beans, 5 s. 4 d.—In 1533, it was enacted by Parliament, that Beef and Pork should be sold for one Halfpenny a Pound, and Veal or Mutton for three Farthings. (d)—In 1537, Oats, 3 s. 4 d. *per Quarter*; Beans, 6 s. The Price of Gascoigne, Guyenne, or French Wines were settled;

by

(c) Lord Herbert, p. 34.

(d) 24. Henry VIII. Cap. iii.

by Parliament, at 8 d. the Gallon; Malmseys, Romneys, Sack, and other sweet Wines, at 12 d. by Retail (e).—In 1543, Oats, 3 s. 4 d. Beans, 6 s. 8 d.—In 1550, a large House in *Channon-Row, Westminster*, within the Precincts of the Court, was lett to the Comptroller of the King's Household, at 30 s. per Ann.—In 1551, Wheat, 8 s. per Quarter; Malt, 5 s. 1 d. Malmsey, 4 d. per Quart; Oats, 8 s. Straw, 5 s. per Load; Coals, 12 s. per ditto.—In 1552, Barley, 5 s.—In this Year the Price of French Wines, of *Gascogne*, and *Guynne*, were settled, by Parliament, at 8 d. per Gallon; Wines of *Rachel*, at 4 d. and no other Wines of higher Value, to be sold for more than 12 d. (f).—In 1553, Wheat, 8 s. per Quarter; Malt, 5 s. Muscadel Wine, 6 d. per Quart; Malmsey ditto, 5 d. Red Wine, 3 d.—In 1554, Wheat, at 8 s. Rye, 6 s. 8 d. Malt, 5 s.—In 1555, Wheat, 8 s. Rye, 16 s. Malt, 9 s.—In 1556, Wheat, 8 s. Malt, 5 s. Beans, 6 s. 8 d.—In 1557, Wheat, 8 s. Rye, 8 s. Malt, 5 s. Oats, 10 s. For threshing a Quarter of Wheat, 1 s. 1 d. For threshing a Quarter of Rye, 10 d. For ditto Barley, 5 d. This Year, before Harvest, Wheat was 2 l. 13 s. 4 d. per Quarter; Malt, 2 l. 4 s. Beans and Rye, 2 l. Peale, 2 l. 6 s. 8 d. But, after Harvest, Wheat, at *London*, was sold for 5 s. Malt, 6 s. 8 d. Rye, 2 s. 4 d. and, in the Country, Wheat was 4 s. Malt, 4 s. 8 d. Rye, 2 s. 8 d. per Quarter: So that a Penny Wheat-Loaf, which, before Harvest, was 11 Ounces, was, after Harvest, 56. In this Year Queen Mary borrowed, of the City of *London*, 20,000 l. at 12 per Cent.—In 1558, Wheat, 8 s. per Quarter; Rye, 8 s. Barley, 5 s. A good Sheep sold for 2 s. 10 d.—In 1559, Wheat, 8 s. Rye, 8 s.—In 1560, Wheat, 8 s. Rye, 8 s. Barley, 5 s. 2 d. Oats, 5 s. Old Hay, 12 s. 6 d. per Load; new Hay, 6 s. 8 d.—In 1561, Wheat, 8 s. Rye, 8 s. Malt, 5 s. Oats 5 s.—In 1562, Wheat, 8 s. Barley, 5 s. Hay, 13 s. 4 d. per Load; Straw, 6 s.

Claret,

Claret, 2 l. 10 s. per Hogshead.—In 1563, Rye, 13 s. 4 d. Oats, 5 s.—In 1574, a Dearth; and Wheat was 2 l. 16 s. per Quarter; Beef, 1 s. 10 d. per Stone; and Herrings only five for 2 d. Bay Salt, (never so dear) 6 s. the Bushel. After Harvest Wheat was 1 l. 4 s. and continued so about a Year.—In 1587, Wheat was 3 l. 4 s. per Quarter, at London; and, in other Places, at 10 s. 12 s. and 13 s. per Bushel, occasioned by excessive Transportation.—In 1594, Wheat, 2 l. 16 s. Rye 2 l.—In 1595, Wheat, by great Transportation, 2 l. 13 s. 4 d. A Hen's Egg, 1 d. or, at best, three for 2 d. A Pound of sweet Butter, 7 d.—In 1596, Wheat, by reason of great Rains, at 4 l. per Quarter; Rye, 2 l. 8 s. Oat Meal, 8 s. the Bushel.—In 1597, Wheat was 5 l. 4 s. and fell to 4 l. per Quarter; Rye from 9 s. to 6 s. per Bushel, and then to 3 s 2 d. and afterwards rose again to the greatest Price. Bishop Goodwin says, Wheat was once this Year at 13 s 4 d per Bushel.—In 1598, Pepper, 8 s. per Pound; Raisins, 6 d *Gascogne Wine*, 2 s. 8 d. per Gallon; sweet Wine, 4 s.—And, in 1603, Ale and strong Beer was settled, by Act of Parliament, to be sold, in Ale-houses, at one Penny the Quart, and small Beer at two Quarts for a Penny (g).

(g) *The 1st of Jas. I. Cap. ix.*



A

## L I S T

OF

## COUNTIES and BOROUGHS,

*Which return'd Members to Parliament at the Time  
of the Accession of K. HENRY VIII. to the Crown.*

BEDFORDSHIRE	Plympton
Bedford	Tavistock
BERKSHIRE	Clifton-Dartmouth-
New-Windsor	Hardness
Reading	Dorsetshire
Wallingford	Pool
BUCKINGHAMSHIRE	Dorchester
Chipping Wicomb	Lyme-Regis
CAMBRIDGESHIRE	Weymouth
Cambridge Town	Melcomb-Regis
CORNWALL	Bridport
Dunhivid alias Lan-	Shafton alias Shaftsbury
ceston	Wareham
Leskard	Essex
Lestwithiel	Colchester
Truro	Malden
Bodmin	Gloucestershire
Helston	Gloucester City
CUMBERLAND	Herefordshire
Carlisle City	Hereford City
DERBYSHIRE	Leominster
Derby	Hertfordshire
DEVONSHIRE	Huntingdonshire
Exeter City	Huntingdon
Totness	Kent
Plymouth	Canterbury City
Barnstaple	Rochester City
	Lan-

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Lancashire	Southampton
Leicestershire	Winchester City
Leicester	Southampton
Lincolnshire	Portsmouth
Lincoln City	
Great-Grimsby	
Stamford	
Grantbam	
Middlesex	
London City	
Norfolk	
Norwich City	
Lyn-Regis	
Great-Yarmouth	
Northamptonshire	
Northampton	
Northumberland	
Newcastle upon Tyne	
Nottinghamshire	
Nottingham	
Oxfordshire	
Oxford City	
Rutlandshire	
Salop	
Salop Town	
Bruges alias Bridge- north	
Ludlow	
Great-Wenlocke	
Somersetshire	
Bristol City	
Bath City	
Wells City	
Taunton	
Bridgewater	
Staffordshire	
Stafford	
Newcastle under Line	
Suffolk	
Ipswich	
Dunwich	
Surry	
Southwark	
Blechinley	
Rygate	
Guilford	
Gatton	
Sussex	
Chichester City	
Horsbham	
Midhurst	
Lewes	
New-Shoreham	
Bramber	
Steyning	
East-Grinstead	
Arundel	
Warwickshire	
Coventry City	
Warwick	
Westmoreland	
Apulby	
Wiltshire	
New-Sarum City	
Wilton	
Downeton	
Hindon	
Heitesbury	

W<sup>st</sup>.

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<i>Westbury</i>	<i>Yorkshire</i>
<i>Calne</i>	<i>York City</i>
<i>Devizes</i>	<i>Kingston upon Hull</i>
<i>Gippeswold</i>	<i>Scarborough</i>
<i>Malmesbury</i>	<i>Cinque-Ports</i>
<i>Cricklade</i>	<i>Port of Hastings</i>
<i>Great-Bedwin</i>	<i>Port of Dover</i>
<i>Ludgershal</i>	<i>Port of Sandwich</i>
<i>Old Sarum</i>	<i>Port of Hythe</i>
<i>Wootton-Basset</i>	<i>Port of New-Romney</i>
<i>Marlborough</i>	<i>Town of Rye</i>
<i>Worcestershire</i>	<i>Town of Winchelsea</i>
<i>Worcester City</i>	

<b>Counties and Boroughs</b>	<b>148</b>
<b>Members</b>	<b>298</b>



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## L I S T

O F

## COUNTIES and BOROUGHS,

*To whom the Privilege of sending Representatives to  
Parliament was granted or restored,*

By King H E N R Y VIII.

A	Nglesey County	Merioneth County
	Beaumaris Town	Montgomery County
	Brecon County	Montgomery Town
	Brecon Town	Pembroke County
	Cardigan County	Pembroke Town
	Cardigan Town	Haverford-West T.
	Carmarthen County	Radnor County
	Carmarthen Town	New-Radnor Town
	Carnarvon County	Monmouth County
	Carnarvon Town	Monmouth Town
	Denbigh County	Buckingham Town
	Denbigh Town	Berwick upon Tweed
	Flint County	Cheshire
	Flint Town	Chester City
	Glamorgan County	Orford
	Cardiff Town	Calais in France
	Counties and Boroughs	Members 32

By King E D W A R D VI.

Saltash	Wigan
Camelford	Leverpool
Portpigham alias Westlow	Boston
Grampound	Westminster
Bossiney	Thetford
St. Michael	Peterborough
Newport	Brackley
St. Albans	Peterfield
Maidstone*	Litchfield
Preston	Heydon
Lancaster	Thirsk
Boroughs 22	Members 44

By

\* It forfeited its Privilege under Queen Mary, by adhering to  
Wyat's Rebellion; but was restored by Queen Elizabeth.

